

Trustees Scott Ruggles Steve Anderson Andrea C. Voorheis Liz Fessler Smith

### **ZONING BOARD OF APPEALS MEETING**

LOCATION: TOWNSHIP ANNEX, 7527 HIGHLAND ROAD, WHITE LAKE, MICHIGAN 48383 THURSDAY, MARCH 27, 2025 – 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. APPROVAL OF MINUTES
  - A. <u>January 23, 2025</u>
- 6. CALL TO THE PUBLIC
- 7. NEW BUSINESS
  - A. Applicant: Richard and Ashley Boday

3105 Ridge Road White Lake, MI 48383

Location: 3105 Ridge Road

White Lake, Michigan 48383 identified as 12-18-101-010

Request: The applicant requests to build a deck, which would be attached to an existing single-family home, and an accessory structure, requiring variances from Section 3.1.6 – Maximum Lot Coverage, Section 3.1.6 – Minimum Lot Width, Section 3.1.6 – Minimum

Lot Area, Section 3.1.6 – Minimum Side Yard Setback, and Section 7.27 –

Nonconforming Lots of Record.

B. Applicant: Dale Leighton

809 Worchester Drive

Fenton, MI 48430

Location: 448 Burgess Drive

White Lake, Michigan 48386 identified as 12-27-427-009

Request: The applicant requests to build an addition above a garage attached to its single-family home, requiring variances from Section 3.1.5 – Minimum Lot Area, Section 3.1.5 – Minimum Lot Width, Section 7.23 – Nonconforming Structures, and Section 7.27 – Nonconforming Lots of Record.

C. Applicant: Allied Signs, Inc.

33650 Giftos Drive

Clinton Township, MI 48035

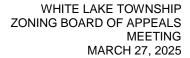
Location: Kroger

10951 Highland Road

White Lake, MI 48386 identified as 12-22-301-004

Request: The applicant requests to add signage onto an existing non-residential building, requiring variances from Section 5.9.J.ii.a – Maximum Size of Wall Signs in a Non-Residential District, Section 5.9.J.ii.b – Maximum Number of Wall Signs in a Non-Residential District, and Section 7.23 – Nonconforming Structures.

- 8. OTHER BUSINESS
- 9. NEXT MEETING DATE: April 24, 2025





### 10. ADJOURNMENT

Procedures for accommodations for persons with disabilities: The Township will follow its normal procedures for individuals with disabilities needing accommodations for effective participation in this meeting. Please contact the Township Clerk's office at (248) 698-3300 X-7 at least five days in advance of the meeting. An attempt will be made to provide reasonable accommodations.

### WHITE LAKE TOWNSHIP ZONING BOARD OF APPEALS JANUARY 23, 2025

### **CALL TO ORDER**

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

Roll was called:

### **ROLL CALL**

### Present:

Jo Spencer, Chairperson Niklaus Schillack, Vice Chairperson Steve Anderson, Township Board Liaison Clif Seiber Tony Madaffer

### Absent:

Debby Dehart, Planning Commission Liaison

### **Also Present:**

Andrew Littman, Staff Planner Nick Spencer, Building Official Hannah Kennedy-Galley, Recording Secretary

### APPROVAL OF AGENDA

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

### **CALL TO THE PUBLIC**

None.

### **APPROVAL OF MINUTES**

A. November 14, 2024

Mr. Madaffer pointed out a correction on page 5.

MOTION by Member Schillack, seconded by Member Madaffer, to approve the minutes of November 14, 2024, as corrected. The motion carried with a voice vote: (5 yes votes).

### **CALL TO THE PUBLIC**

None.

### **OLD BUSINESS**

None.

### **NEW BUSINESS**

A. Applicant: Michael Epley 6075 Carroll Lake Road Commerce, MI 48382

Location: 450 Lakeview Drive

White Lake, Michigan 48386 identified as 12-26-334-033

Request: The applicant requests to build a 2nd story addition onto an existing single-family home, requiring variances from Article 3.1.6.E, Minimum Lot Area, Article 3.1.6.E, Minimum Front Yard Setback, Article 3.1.6.E, Minimum Side Yard Setback, Article 5.3, Lots, Yards and Open Spaces, and Article 7.23, Nonconforming Structures.

Chairperson Spencer noted for the record that 22 owners within 300 feet were notified. 0 letters were received in favor, 0 letters were received in opposition, and 0 letters were returned undeliverable from the U.S. Postal Service.

Staff Planner Littman summarized his report.

Member Schillack asked staff about the deck on the northwest side of the lot, and if it would remain. Staff Planner Littman stated he was unsure. There wasn't a dimension from the edge of the wood deck to the property line in the side yard setback.

Member Schillack asked how far the home on the northwest was from the applicant's house. Staff Planner Littman said 14'.

Michael Epley, 6075 Carroll Lake Road, was present to speak on behalf of the homeowners. Mr. Epley said the space to the west was utilized for the existing garage. The first floor will be cantilevered to provide more space and the second-story addition will not touch the deck. The porch was requested to be covered per the homeowner's request.

Member Schillack asked Mr. Epley why the addition wasn't proposed over the concrete patio. Mr. Epley said there is a drop in grade due to the walkout basement, and constructing the addition that way will be costly.

Member Seiber asked Mr. Epley if the bathrooms could be reduced in size to match the side of the existing house. Mr. Epley said he tried to lay out the addition with the house's current footprint, and reducing the addition brought layout tension.

Chairperson Spencer opened the public hearing at 6:52 P.M. Seeing none, she closed the public hearing at 6:52 P.M.

Member Seiber said he struggled with the side yard variance since the room sizes could be reduced for more compliance.

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

- A. Practical Difficulty
  - Chairperson Spencer said the lot is non-conforming.
- B. Unique Situation
  - Chairperson Spencer said the lot is non-conforming.
- C. Not Self-Created
  - Member Seiber said the east side yard setback is self-created.
- D. Substantial Justice
  - Member Schillack said it allows the homeowner to have a similar house to those surrounding it.
- E. Minimum Variance Necessary
  - Chairperson Spencer said it was the minimum variance necessary.

Member Anderson MOVED to approve the variances requested by Michael Epley from Article 3.1.5, Article 3.1.6, Article 7.23.A, and Article 7.28.A of the Zoning Ordinance for Parcel Number 12-26-334-033, identified as 450 Lakeview Drive, to enlarge and alter a nonconforming single-family home by allowing the second-story addition to encroach 3 feet into the required eastern side yard setback and 14.7 feet into the required front yard setback. Additionally, variances from Article 3.1.5, Article 7.23.A, and Article 7.28.A are granted to allow for the construction of a porch that would encroach 6.1 feet into the required front yard setback. A variance from Article 3.1.5 Minimum Lot Area is granted to allow an increase in lot area of 320'. This approval will have the following conditions:

- 1. The Applicant shall obtain all necessary permits from the White Lake Township Building Division
- 2. In no event shall the projection of any roof overhang be closer than five feet to the side lot lines
- 3. No mechanical units, including HVAC system or generator, shall be placed closer than five feet to any side yard lot line 10 Item A.
- 4. An as-built survey shall be required to verify the approved setbacks.

Member Madaffer supported, and the motion carried with a roll call vote: (4 yes votes).

(Anderson/yes, Madaffer/yes, Spencer/yes, Schillack/yes, Seiber/no)

B. Applicant: Michael Epley 6075 Carroll Lake Road Commerce, MI 48382

Location: 8274 Fox Bay Drive

White Lake, Michigan 48386 identified as 12-24-453-007

Request: The applicant requests to build an addition onto an existing single-family

home, requiring a variance from Article 3.1.5, Minimum Rear Yard Setback.

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

Staff Planner Littman summarized his report.

Michael Epley, 6075 Carroll Lake Road, was present to speak on behalf of the homeowner. He said the house has been passed through generations of the homeowner's family for over 60 years. The deck used to be a sunroom. The deck will be re-structured to carry the weight of the addition.

Member Anderson asked Mr. Epley why the addition wasn't done when the deck was redone. Mr. Epley said it was a timing issue on the homeowner's behalf.

Member Seiber asked Mr. Epley where the septic field is. Mr. Epley said the septic field is in the rear yard. Member Seiber asked Mr. Epley if the deck could be shifted to the side yard to eliminate the variance for the rear yard. Mr. Epley said the current layout of the house warrants the deck being in its current location, and it would be impractical to move it to the side.

Chairperson Spencer opened the public hearing at 7:27 P.M. Seeing none, she closed the public hearing at 7:27 P.M.

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

- A. Practical Difficulty
  - Chairperson Spencer said the current home exists, and the roof triggered the variance process.
- B. Unique Situation
  - Member Schillack said the footings are existing.
- C. Not Self-Created
  - Chairperson Spencer said there is no self-created hardship.
- D. Substantial Justice
  - Chairperson Spencer said it allows the homeowner to have a similar house to those surrounding it.
- E. Minimum Variance Necessary
  - Chairperson Spencer said it was the minimum variance necessary.

Member Schillack MOVED to approve the variance requested by Mike Epley from Article 3.1.5 of the Zoning Ordinance for Parcel Number 12-24-453-001, identified as 8274 Fox Bay Drive, in order to build a sunroom onto an existing home that encroaches 12.6 feet into the required rear yard setback. This approval will be conditional on the applicant obtaining all necessary permits from the White Lake Township Building Division, and providing an as-built survey to verify the approved rear yard setback and verifying the location of the septic field with the Building Department and Oakland County Environmental Division.

Member Anderson supported and the motion carried with a roll call vote: (4 yes votes). (Schillack/yes, Anderson/yes, Spencer/yes, Madaffer/yes, Seiber/no).

> C. Applicant: Michael Epley 6075 Carroll Lake Road Commerce, MI 48382

Location: 51 Danforth Street

White Lake, Michigan 48386 identified as 12-26-126-028

Request: The applicant requests to build an addition onto an existing single-family home, requiring variances from Article 3.1.6.E, Minimum Lot Area, Article 3.1.5.E, Minimum Lot Width, Article 3.1.5.E, Minimum Front Yard Setback, Article 3.1.5.E, Minimum Side Yard Setback, Article 5.3, Lots, Yards and Open Spaces, and Article 7.23, Nonconforming Structures.

Chairperson Spencer noted for the record that 23 owners within 300 feet were notified. 0 letters were received in favor, 0 letters were received in opposition, and 0 letters were returned undeliverable from the U.S. Postal Service.

Staff Planner Littman summarized his report.

Member Schillack asked staff how far the garage is from the house. Staff Planner Littman said 6'.

Michael Epley, 6075 Carroll Lake Road, was present to speak on behalf of the homeowners. Mr. Epley said the plans show an offset from the rear right corner of the garage to create a 5' setback from the overhang to the north lot line. The intent is to connect the garage to the house.

Member Seiber asked Mr. Epley where the septic field was located. Mr. Epley said the grinder station shown on the plan is non-functional and will be crushed. The property is connected to the sewer.

Chairperson Spencer opened the public hearing at 8:03 P.M. Seeing none, she closed the public hearing at 8:03 P.M.

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

- A. Practical Difficulty
  - Member Schillack said the houses on that side of Danforth are non-conforming.
- B. Unique Situation
  - Member Schillack said it was unique because Danforth is extra challenging.
- C. Not Self-Created
  - Member Seiber said the lot is deficient in width and area.
- D. Substantial Justice
  - Member Schillack said it allows the neighbors to enhance their homes similarly to their neighbors.
- E. Minimum Variance Necessary
  - Chairperson Spencer said it is the minimum variance necessary.

Member Seiber MOVED to approve the variances requested by Mike Epley from Article 3.1.6 and Article 5.3 of the Zoning Ordinance for Parcel Number 12-26-126-028, identified as 51 Danforth Street, to build an addition onto a single-family home that combines the home with a detached garage, resulting in a new structure that encroaches 19.5 feet into the required front yard setback and 5 feet into the required north side yard setback. Additionally, a variance from the required lot width is granted from Article 3.1.6.E and a 5,233 sq ft variance from the required lot area is granted from Article 3.3.6.E.

The approval will have the following conditions:

- 1. The applicant shall obtain all necessary permits from the White Lake Township Building Department
- 2. In no event shall the projection of any roof overhang or any projection be closer than five feet to the side property line.
- 3. No mechanical units, including HVAC systems or generator shall be placed closed than give feet to any side property line.
- 4. An as-built survey is required to verify the approved setbacks.

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

D. Applicant: Four Seasons Land Development

10380 Highland Road White Lake, MI 48386

Location: 10380 Highland Road

White Lake, Michigan 48386 identified as 12-22-251-016

Request: The applicant requests to construct a new building, requiring variances from

Article 3.1.20.E, Minimum Side Yard Setback.

Chairperson Spencer noted for the record that 17 owners within 300 feet were notified. 0 letters were received in favor, 0 letters were received in opposition, and 0 letters were returned undeliverable from the U.S. Postal Service.

Staff Planner Littman summarized his report.

Member Seiber asked staff if the property owner were to build the last two buildings he was originally approved for, would he be able to pull permits even though the setbacks were different when the plans were originally approved. Staff Planner Littman said the site plan didn't include the proposed building and was expired.

Building Official Spencer said the plan would most likely have to go before the Planning Commission again for an amended final site plan approval.

Building Official Spencer said the original buildings proposed were additional storage units, but what the applicant is asking for will trigger a change of use. A storm drain plan would need to be updated, as well as plans for parking, sewer, water, and fire apparatus turns. The property is currently landlocked, and a combination would need to take place.

Member Anderson stated that this request should have gone before the Planning Commission or the applicant should have met with Planning Department staff. There wasn't enough information provided.

Harold Oliver, 10380 Highland, was present to speak on behalf of his case. He said he has owned the property for over 20 years. He was asking to be grandfathered in. He wanted to build an office for his son's glass glazing company.

Chairperson Spencer opened the public hearing at 8:42 P.M. Seeing none, she closed the public hearing at 6:42 P.M.

Member Madaffer MOVED to postpone the appeal of Four Seasons Land Development, known as Parcel Number 12-22-251-016 until the applicant is ready to return to consider comments stated during this public hearing.

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

E. Applicant: William Budday

343 Blind Trail

White Lake, MI 48386

Location: 343 Blind Trail

White Lake, Michigan 48386 identified as 12-26-253-019

Request: The applicant requests to build an attached garage onto an existing single-family home, requiring variances from Article 3.1.6.E, Minimum Lot Area and Article 3.1.6.E, Minimum Front Yard Setback.

Chairperson Spencer noted for the record that 33 owners within 300 feet were notified. 0 letters were received in favor, 0 letters were received in opposition, and 0 letters were returned undeliverable from the U.S. Postal Service.

Staff Planner Littman summarized his report.

Chairperson Spencer said the garage's proximity to the road is potentially hazardous.

Member Schillack asked staff how deep the proposed garage is. Mr. Budday answered 24'x36'.

Willam Budday, 343 Blind Trail was present to speak on his case. He didn't see another location on the lot for the garage. When he initially submitted the plans to the Building Department, he realized he did not have a side yard due to the road frontage. He said there was a large oak tree by the garage, and the

street was a dead end. He said the north side of the house is where the well is, and the septic field is by the retaining wall.

Building Official Spencer said Blind Trail is not heavily traveled.

Member Seiber asked Mr. Budday if Blind Trail is a private road. Mr. Budday confirmed, and he along with the two other neighbors on the road maintained it.

Member Seiber asked Mr. Budday where the door would be relocated. Mr. Budday said there are two front doors in his house, one that enters the kitchen and one entering the living room.

Mr. Seiber asked Mr. Budday if the garage could be put on the side of the house where the deck is. Mr. Budday said he considered it, but it would then require a natural features setback.

Chairperson Spencer opened the public hearing at 9:00 P.M. Seeing none, she closed the public hearing at 9:00 P.M.

Member Seiber stated the driveway would be long enough to park a vehicle without the vehicle being parked on the road.

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

- A. Practical Difficulty
  - Chairperson Spencer said the lot was nonconforming and had an unusual shape.
- B. Unique Situation
  - Chairperson Spencer said the shape of the lot makes for a unique situation.
- C. Not Self-Created
  - The applicant did not build the road.
- D. Substantial Justice
  - Member Schillack said it would allow the homeowner to use their home similarly to their neighbors.
- E. Minimum Variance Necessary
  - Member Schillack said it is the minimum variance necessary.

Member Seiber MOVED to approve the variances requested by William Budday from Article 3.1.5, Article 7.23.A, and Article 7.28.A of the Zoning Ordinance for Parcel Number 1226-253-019, identified as 343 Blind Trail, in order to enlarge and alter a nonconforming single-family home by allowing a proposed attached garage and second-story addition to encroach 5.7 feet into the required front yard setback. Additionally, an 855 sq ft variance from the required lot area is granted from Article 3.1.6.E

The approval will have the following conditions:

- 1. This approval will be conditional on the applicant obtaining all necessary permits from the White Lake Township Building Division.
- 2. An as-built survey shall be submitted to the Building Department to verify the approved front yard setback.

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

### **OTHER BUSINESS**

None.

**NEXT MEETING DATE:** February 27, 2025

### **ADJOURNMENT**

MOTION by Member Anderson, seconded by Member Madaffer, to adjourn at 9:06 P.M. The motion carried with a roll call vote: (5 yes votes).



## WHITE LAKE TOWNSHIP ZONING BOARD OF APPEALS

### REPORT OF THE COMMUNITY DEVELOPMENT DEPARTMENT

TO:

**Zoning Board of Appeals** 

FROM:

Andrew Littman, Staff Planner

DATE:

March 19, 2025

Agenda item:

8B

**Appeal Date:** 

February 27, 2025

Applicant:

Dale Leighton

Address:

809 Worchester Drive

Fenton, MI 48430

Location:

448 Burgess Drive

White Lake, MI 48386

Zoning:

R1-C Single Family Residential

### **Property Description**

The 0.274-acre (11,934 square-foot) parcel identified as 448 Burgess Drive is located on Cedar Island Lake and zoned R1-C (Single Family Residential). The existing two-story single-family home on the property (which is 2,334 square feet in size) utilizes a private well for potable water and a septic system for sanitation.

### Applicant's Proposal

The Applicant is proposing to construct a 350 square-foot second-story addition onto a single-family home, which is a legally nonconforming structure due to having a northwest side yard setback of 3.7 feet and southeast side yard setback of 5.8 feet. The addition is proposed above the attached garage.

### Planner's Report

The existing single-family home and lot are both legally nonconforming. Per Article 3.1.5.E of the Zoning Ordinance, the minimum side yard setback in the R1-C zoning district is 10 feet on each side (and 20 feet for the total of both sides). In this case, the existing single-family home has a northwest side yard setback of 3.7 feet and southeast side yard setback of 5.8 feet. Moreover, the lot size (11,934 square feet) is deficient by 4,066 square feet and the lot width (60 feet) is deficient by 40 feet.

The Applicant's proposed second-story addition would be above the existing attached garage and come 6 feet from the southeast side yard lot line, which would require a 4-foot variance for the southeast side yard setback and a 10.3-foot variance for the total of both side yard setbacks. Moreover, the Applicant would need to receive a variance from Article 7.28, which does not allow the cubic content of nonconforming structures to be increased.

The requested variances are listed in the following table:

| Variance<br># | Ordinance<br>Section | Subject                      | Standard                     | Requested Variance                                |
|---------------|----------------------|------------------------------|------------------------------|---|
| 1             | Article 3.1.5        | Minimum Side<br>Yard Setback | 10 feet per<br>side          | 4 feet for southeast side yard setback            |
| 2             | Article 3.1.5        | Minimum Lot<br>Area          | 16,000 square<br>feet        | 4,066 square feet                                 |
|               | Article 3.1.5        | Minimum Lot<br>Width         | 100 feet                     | 40 feet   |
| 3             | Article<br>7.28.A    | Nonconforming structure      | No increase in cubic content | Increase cubic content of nonconforming structure |

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

Approval: I move to approve the variances requested by Dale Leighton from Article 3.1.5 and Article 7.28 of the Zoning Ordinance for Parcel Number 12-27-427-009, identified as 448 Burgess Drive, in order to construct a second-story addition onto a single-family home. Variances from Article 3.1.5 are granted to allow for construction on a lot that is 4,066 square feet less than the minimum lot area, and 40 feet less than the minimum lot width, required in the R1-C zoning district. In addition, a variance from Article 3.1.5 is granted to allow the second-story addition to encroach 4 feet into the required southeast side yard setback. Lastly, a variance from Article 7.28 of the Zoning Ordinance is granted to allow for the increase in cubic content of a nonconforming structure. This approval is conditional on the applicant obtaining all necessary permits from the White Lake Township Building Division.

**<u>Denial</u>**: I move to deny the variances requested by Dale Leighton for Parcel Number 12-27-427-009, identified as 448 Burgess Drive, due to the following reason(s):

**Postpone:** I move to postpone the appeal of Dale Leighton to a date certain or other triggering mechanism for Parcel Number 12-27-427-009, identified as 448 Burgess Drive, to consider comments stated during this public hearing.

### Attachments:

- 1. Variance application dated February 27, 2025
- 2. Letter of authorization signed by the homeowners
- 3. Letter of denial from the building department
- 4. Certified boundary survey dated February 20, 2025

### 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 <u>all</u> 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:
  - 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: DALE LEIGHTON PHONE: \$10-691-7617  ADDRESS: 809 WORCHESTER DR FENTON M. 48430  APPLICANT'S EMAILADDRESS: DWER MUSBAND GARY. COM  APPLICANT'S INTEREST IN PROPERTY: OWNER BUILDER OTHER: |
|--|
|  |
| ADDRESS OF AFFECTED PROPERTY: 448 BULGESS DR PARCEL # 12 - 27 - 427 - 009  CURRENT ZONING: R-IC PARCEL SIZE: 16,000 Sq. F7.  |
|  |
|  |
| STATE REQUESTED VARIANCE AND ORDINANCE SECTION:  |
|  |
| STATE REQUESTED VARIANCE AND ORDINANCE SECTION:  |
|  |
| VALUE OF IMPROVEMENT: \$ SEV OF EXISITING STRUCTURE: \$  |
| VALUE OF IMPROVEMENT: \$ SEV OF EXISITING STRUCTURE: \$  |

OWNER WOULD LIKE to ADD A 350 Sq. Ft. ROOM ABOVE EXISTING GARGE. NO CHANGE IN the Foot print of EXISTING HOME.

PAID 5848

FEB 2 7 2025

TREASURER CHARTER TWP. OF WHITELAKE March 3, 2025

To: Northville Township Zoning Board C/O Andrew

RE: Authorizing Dale Leighton of Husband for a Day to Act on our Behalf

Please accept this letter as authorization for Dale Leighton of Husband for a Day to act on our behalf for property address: 448 Burgess Drive, White Lake Township, MI 48386

For questions our cell phone number is 248-867-6845.

Thank You,

Robert Priebe

Jennifer Priebe

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



Trustees Scott Ruggles Steve Anderson Andrea C. Voorheis Liz Fessler Smith

### WHITE LAKE TOWNSHIP

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

Robert Priebe 448 Burgess Dr White Lake, MI 48386

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

Based on the submitted plans, the proposed 2<sup>nd</sup> story does not satisfy the White Lake Township Clear Zoning Ordinance for R1-C zoning district.

Article 3.1.5 of the White Lake Township Clear Zoning Ordinance: Requires a minimum side yard setback of 10 ft each side and total of 20 ft, minimum lot width of 100 ft, and minimum lot area of 16,000 sq ft.

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.

The existing lot and structure are legal non-conforming. The 11,935 sq ft, 60 ft wide lot contains a residential structure that does not meet the required side yard and front yard setbacks. The proposed 2<sup>nd</sup> story addition increases the cubic content of the non-conforming structure over the existing garage which has an approximate 5 ft side yard setback on the east side; combined with the west side yard setback of approximately 5ft, the total side yard setback is approximately 10 ft.

Furthermore, **Article 5.3** states; in no instance shall any portion of the proposed structure, including overhangs and gutters, project closer than 5 ft to either side yard lot line. **The plot plan should clearly define whether the setback measurement is to the overhang or side wall.** No board, commission or department can grant approval to any structure, or portion of structure within the 5 ft side yard setback.

Approval of the building plans is subject to a variance to the schedule of regulations, Article 7 of the White Lake Township Clear Zoning Ordinance. To be eligible for the January 23<sup>rd</sup> Zoning Board of Appeals (ZBA) meeting, complete application must be submitted to the White Lake Township Planning Department no later than December 19<sup>th</sup> 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

# (R) R/W **@**

<u>.EGEND</u>

SET IRON #55012 FOUND IRON

EX OVERHEAD LINES

MEASURED

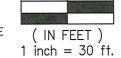
RECORDED RIGHT OF WAY

EX WELL EX POWER POLE

### CERTIFICATE OF SURVEY

### SURVEYOR NOTES: 1. DATE OF LAST FIELD WORK 02.19.2025

FOUND CONC MONUMENT 2. DUE TO EXISTING SNOW COVER ON THE GROUND, SOME PHYSICAL STRUCTURES/UTILITIES MAY HAVE BEEN MISSED...



GRAPHIC SCALE

20

- 3. THE BEARINGS ARE RELATIVE TO THE MICHIGAN COORDINATE SYSTEM, SOUTH ZONE (2113) AS DEFINED BY MICHIGAN P.A. 9 OF 1964 AND AMENDED BY P.A. 154 OF 1988 (NAD 83 [2011]).
- 4. LOT LINES EXTEND TO WATERS EDGE.

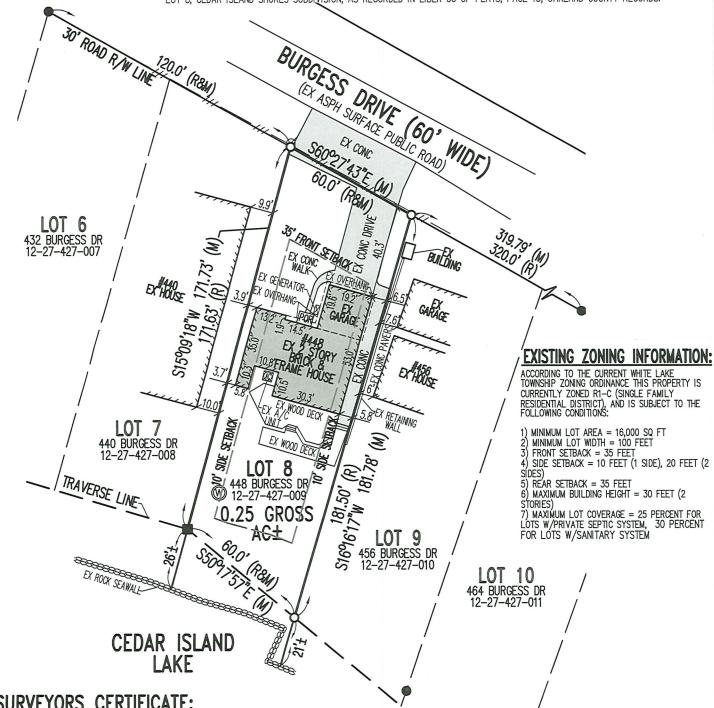
### **DESCRIPTION:**

448 BURGESS ROAD (TAX ID 12-27-427-009):

WARRANTY DEED: LIBER 58793, PAGE 170 THRU 172

LAND SITUATED IN THE TOWNSHIP OF WHITE LAKE, COUNTY OF OAKLAND, STATE OF MICHIGAN, DESCRIBED AS:

LOT 8, CEDAR ISLAND SHORES SUBDIVISION, AS RECORDED IN LIBER 66 OF PLATS, PAGE 15, OAKLAND COUNTY RECORDS.



**SURVEYORS CERTIFICATE:** 

I, JASON P. WHITE, HEREBY CERTIFY THAT THIS SURVEY WAS PREPARED UNDER MY DIRECT SUPERVISION, AND EACH CORNER SHOWN ON THE SURVEY HAS A RELATIVE POSTIONAL PRECISION OF LESS THAN (0.07 FEET PLUS 50 PARTS PER MILLION), AND THAT ALL REQUIREMENTS OF P.A. 132 OF 1970, AS AMENDED, HAVE BEEN COMPLIED WITH.

### CERTIFICATE OF SURVEY FOR; C/O DALE LEIGHTON ROBERT PRIEBE

448 BURGESS DRIVE 48386 WHITE LAKE, MI

1"=40 02.20.2025 J.P.W. 25 - 133DRN. BY: D.S.S 1 of



Fenton Land Surveying & Engineering, Inc 14165 N. FENTON ROAD, SUITE 101A, FENTON, MI 48430 PHONE: 810.354.8115 EMAIL:INFO@FENTONLSE.COM



## WHITE LAKE TOWNSHIP ZONING BOARD OF APPEALS

### REPORT OF THE COMMUNITY DEVELOPMENT DEPARTMENT

TO:

**Zoning Board of Appeals** 

FROM:

Andrew Littman, Staff Planner

DATE:

March 19, 2025

Agenda item:

8C

**Appeal Date:** 

February 27, 2025

Applicant:

Allied Signs

Address:

33650 Giftos Drive

Clinton Township, MI 48035

Location:

10951 Highland Road

White Lake, MI 48386

Zoning:

GB, General Business

### **Property Description**

The 14-acre parcel identified as 10951 Highland Road is located on the south side of Highland Road, east of Elizabeth Lake Road, and zoned GB (General Business).

### Relevant Background

In April 2024, Northern Sign obtained a variance from this body to install a seventh wall sign (reading "Pickup" and measuring 63.10 square feet in size) on the north façade of the Kroger location at 10951 Highland Road. With the addition of that sign, Kroger now has a total of 10 wall signs (7 on the north façade and 3 on the west façade).

### **Applicant's Proposal**

Allied Signs, the Applicant, is proposing to replace and enlarge two existing "Kroger Marketplace" wall signs, as shown below:

• Sign #1 (on the north façade)





EXISTING
PROPOSED Proposed = 229.50 sqft

SCOPE OF WORK: FRONT ELEVATION - REMOVE OVAL AND INSTALL NEW BLUE KROGER WITH CART LETTER SET AND MARKETPLACE LETTER SET - SCALED TO FIT.
\*ARCH: 45'6" X 24'

- \*KROGER OVAL: 90" X 118" = 73.75 sqft
- \*MARKETPLACE: 54" X 20'6" = 92.25 sqft
- \*Total square feet of existing = 166 sqft

### • Sign #2 (on the west façade)





EXISTING PROPOSED Proposed = 265.90 Sqft

SCOPE OF WORK: LEFT ELEVATION - REMOVE OVAL AND INSTALL NEW WHITE KROGER WITH CART LETTER SET AND MARKETPLACE LETTER SET - SCALED TO FIT.

As you can see, the proposal is to increase Sign #1 from 166 square feet to 229.5 square feet and Sign #2 from 166 square feet to 265.9 square feet. It should be noted that both of these existing wall signs are legally nonconforming because the number of allowable signs on the north and west facades of the building is exceeded.

### Planner's Report

Article 5.9.J.ii of the Township's Zoning Ordinance specifies the size and number of wall signs allowed on the subject building. Article 5.9.J.ii.a states that the maximum size of any individual wall sign is 200 square feet. Article 5.9.J.ii.b asserts that principal buildings with front facades at least 250 feet long may be permitted a total of 3 wall signs, however, an additional wall sign is permitted when a parcel has frontage on two streets (as is the case here).

Sign #1 is proposed to replace one of 7 wall signs on the building's north façade. Sign #2 is proposed to replace one of 3 wall signs on its west façade.

The requested variances are listed in the following table:

<sup>\*</sup>KROGER OVAL: 90" H X 118" L = 73.75 sqft \*MARKETPLACE: 54" X 20'6" = 92.25 sqft

<sup>\*</sup>Total square feet of existing = 166 sqft

| Variance<br># | Ordinance<br>Section  | Subject                            | Standard   | Requested<br>Variance   |
|---------------|-----------------------|------------------------------------|--|---|
| 1             | Article<br>5.9.J.ii.a | Minimum Size<br>of Wall Signs      | 200 square feet  | Sign #1: 29.5 sqft. Sign #2: 65.9 sqft.                             |
| 2             | Article<br>5.9.J.ii.b | Maximum<br>Number of Wall<br>Signs | 3 wall signs on north<br>façade + 1 wall sign<br>on west facade          | 1 wall sign on<br>north façade and 1<br>wall sign on west<br>facade |
| . 3           | Article 7.23          | Nonconforming<br>Structures        | No enlargement of a nonconforming structure that increases nonconformity | Enlargement that increases the nonconformity                        |

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

Approval: I move to approve the variances requested by Allied Signs from Article 5.9.J.ii and Article 7.23 of the Zoning Ordinance for Parcel Number 12-22-301-014, identified as 10951 Highland Road, in order to replace two existing legally nonconforming wall signs with new wall signs reading "Kroger Marketplace" and measuring 229.5 square feet and 265.9 square feet, respectively. This approval is conditional on the applicant obtaining all necessary permits from the White Lake Township Building Division.

**<u>Denial:</u>** I move to deny the variances requested by Allied Signs for Parcel Number 12-22-301-014, identified as 10951 Highland Road, due to the following reason(s):

**Postpone:** I move to postpone the appeal of Allied Signs to a date certain or other triggering mechanism for Parcel Number 12-22-301-014, identified as 10951 Highland Road, to consider comments stated during this public hearing.

### Attachments:

- 1. Variance application dated February 27, 2025
- 2. Applicant's sign plan
- 3. Letter of denial from the building department

### 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 <u>all</u> 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:
  - 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.

### Item C.

# 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: Allied Signs, Inc. PHONE: 586-791-7900   |
|--|
| ADDRESS: 33650 Giftos, Clinton Twp. MI 48035  APPLICANT'S EMAILADDRESS: Kim@alliedsignsinc.com  APPLICANT'S INTEREST IN PROPERTY: OWNER BUILDER OTHER: Sign Contractor             |
| ADDRESS OF AFFECTED PROPERTY: Kroger, 10951 Highland Rd. PARCEL # 12 - 22-301-004  CURRENT ZONING: GB PARCEL SIZE: 14.03 acres   |
|  |
| STATE REQUESTED VARIANCE AND ORDINANCE SECTION: To be allowed a total of (7) wall signs that total 665.16 sqft.  VALUE OF IMPROVEMENT: \$ 30,900.00 SEV OF EXISITING STRUCTURE: \$ |
| that total 665.16 sqft.  |



| QTY. | DESCRIPTION                       | SQ. FT. | EXISTING SQ. F             |
|------|-----------------------------------|---------|----------------------------|
| 1    | PICKUP LTR. SET W/CART            | 63.1    |                            |
| 1    | KROGER MP W/ CART                 | 229.5   | 166                        |
| 1    | KROGER MP W/ CART                 | 265.9   | 166                        |
| 1    | STARBUCKS SIGN                    | 25      | 49                         |
| 1    | MONUMENT CABINET                  |         |                            |
| 2    | MONUMENT REPLACEMENT FACE         |         |                            |
| 1    | PHARMACY LETTERS                  | 31.1    |                            |
|      | KROGER OVAL & PHARMACY            |         | 77.50                      |
| 1    | MURRY'S SIGN - TO BE REMOVED      |         | 25.33                      |
| 1    | PDT LETTERS                       | 28.9    |                            |
| 1    | RX DRIVE THRU - TO BE REMOVED     |         | 63                         |
| 1    | Comerica Bank sign to REMAIN      | 21.66   | 21.66                      |
|      | Total square footage for proposed | 665,16  | Total of existing = 568.49 |

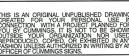
NOTE: WE ARE REMOVING THREE SIGNS AND RELOCATING ONE IN ORDER TO ADD PICKUP. ALSO, WE ARE REDUCING SF OF SIGNS WITH STARBUCKS.



EXISTING FRONT ELEVATION

KROGER #759 10951 HIGHLAND ROAD WHITE LAKE, MI





| CUST  | OMER APPROVAL: |  |
|-------|----------------|--|
| DATE: |                |  |

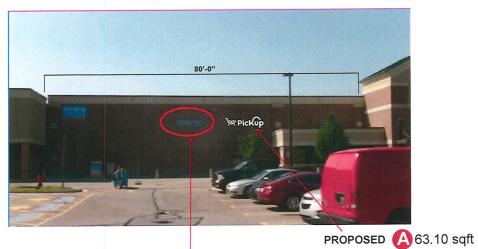
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| Rev. #2 |      |    | Rev. #5 |      |    |
| Rev. #3 |      |    | Rev. #6 |      |    |



DRAWING NO: 1162988766.03

S. Hawke/J. Allington





**PROPOSED** 

SCOPE OF WORK: FRONT ELEVATION - INSTALL NEW PICKUP LETTERS.
REMOVE RX DRIVE-THRU LETTERS.

Existing: 42" x 18' = 63 sqft

3 Comerica Bank sign is to remain. Sign is 26" x 120" = 21.66 sqft

KROGER #759 10951 HIGHLAND ROAD WHITE LAKE, MI



| OFFICER OF CUMMINGS SIGNS. | THIS IS AN ORIGINAL UNPUBLISHED DRAWING<br>REATED FOR YOUR PERSONAL USE IN<br>CONNECTION WITH A PROJECT PLANNED FOR<br>YOU BY CUMMINGS, IT IS NOT TO BE SHOWN<br>JUTSIDE YOUR ORGANIZATION NOR USE<br>SEPRODUCED, COPIED, OR EXHIBITED USE<br>ASSHON UNLESS AUTHORIZZED IN WRITING BY AN<br>PFICER OF CUMMINGS SIGNS. |
|----------------------------|---|
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| CUSTOMED ADDROVAL. |         | DATE | BY |         | DATE | BY |
|--------------------|---------|------|----|---------|------|----|
| CUSTOMER APPROVAL: | Rev. #1 |      |    | Rev. #4 |      |    |
| DATE:              | Rev. #2 |      |    | Rev. #5 |      |    |
| DAIL.              | Rev. #3 |      |    | Rev. #6 |      |    |

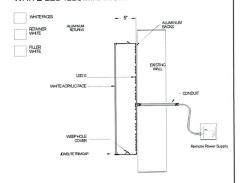


DRAWING NO: 1162988766.03 12.11.2024

S. Hawke

### INTERNALLY ILLUMINATED CHANNEL LETTERS

• INTERNALLY ILLUMINATED CHANNEL LETTERS. ALUMINUM SIDES & BACK PAINTED WHITE. WHITE TRIMCAP RETAINER. FLAT, WHITE POLYCARBONATE FACE WHITE LED ILLUMINATION.





- FOR USE ON CMU BLOCK OR EIFS SUBSTRATE.
- NOT INTENDED FOR USE ON NEW OR EXISTING BRICK FINISHES WITHOUT EXPRESS APPROVAL FROM G.O. PLANNING AND DESIGN.
- NOT INTENDED FOR USE ON LOCATIONS UNDER LARGE ARCHITECTURAL OVERHANGS OR CANOPIES

#### WALL PAINTED TO MATCH KROGER BLUEVINYL -

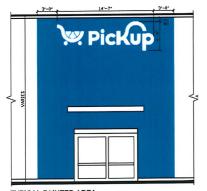


A

Kroger Blue (PMS2728C) - Exterior Quart Formula

TYPICAL PAINTED AREA: PICKUP FRONT ENTRY DOOR NEAR CORNER -

CENTERED HORIZONTALLY OVER CANOPY/DOOR AND OR AT LEAST 1'-6" FROM CORNER OF BUILDING. CREATE PAINT FINISH BREAK ON OPPOSITE SIDE EQUAL DISTANCE FROM EDGE OF SIGN LEFT & RIGHT.



TYPICAL PAINTED AREA: PICKUP FRONT ENTRY DOOR ON BLANK FACADE -

CENTERED HORIZONTALLY OVER CANOPY/DOOR. INSTALLED 8-12" FROM BOTTOM OF CORNICE/COPING - or-CENTERED VERTICALLY BETWEEN CANOPY OR DOOR AND CORNICE/COPING.

CREATE PAINT FINISH BREAKS 3' MINIMUM FROM EDGE OF SIGNAGE.

#### 63.1 SQ. FT.

CUMMINGS

| THIS IS AN ORIGINAL UNPUBLISHED DRAWING CREATED FOR YOUR PERSONAL USE IN CONNECTION WITH A PROJECT PLANNED FOR THE COUNTY OF THE |
|--|

| CUSTOMER APPROVAL: |  |
|--------------------|--|
| DATE:              |  |

SCALE: 1/2" = 1'-0"

14'-6 3/4"

|         | DATE | BY |         | DATE | BY |
|---------|------|----|---------|------|----|
| Rev. #1 |      |    | Rev. #4 |      |    |
| Rev. #2 |      |    | Rev. #5 |      |    |
| Rev. #3 |      |    | Rev. #6 |      |    |



DRAWING NO: 7699332377.02A1 DATE: 6.27.2023

S. Hawke

PART # 403-23-CL36-PUCRTWH





Proposed = 229.50 sqftPROPOSED B

SCOPE OF WORK: FRONT ELEVATION - REMOVE OVAL AND INSTALL NEW BLUE KROGER WITH CART LETTER SET AND MARKETPLACE LETTER SET - SCALED TO FIT. \*ARCH: 45'6" X 24'

- \*KROGER OVAL: 90" X 118" = 73.75 sqft
- \*MARKETPLACE: 54" X 20'6" = 92.25 sqft
- \*Total square feet of existing = 166 sqft

KROGER #759 10951 HIGHLAND ROAD WHITE LAKE, MI

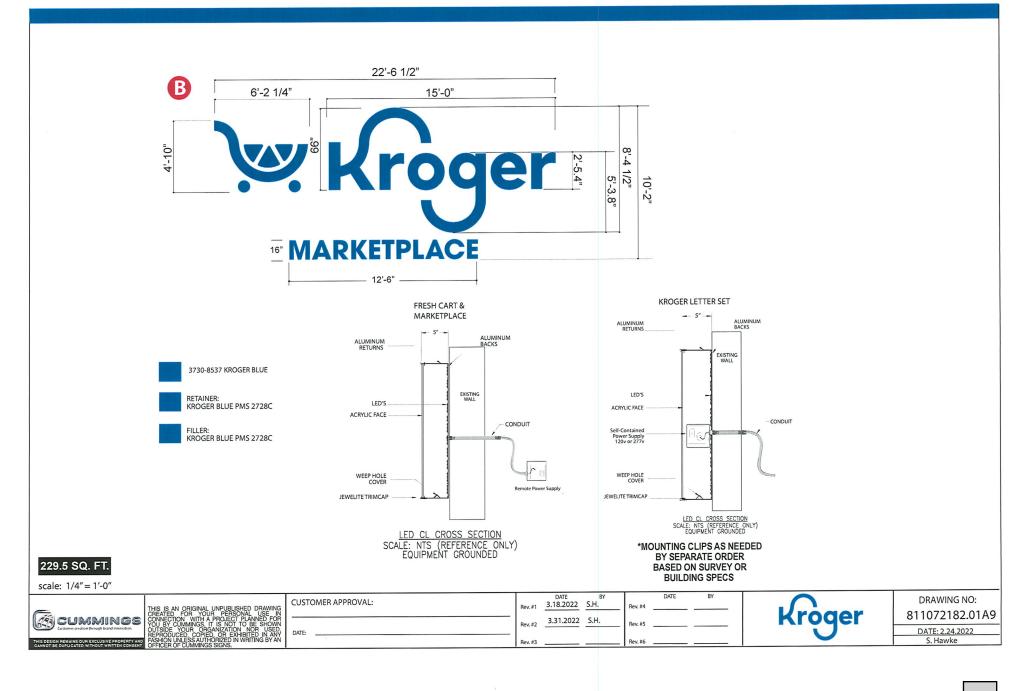


THIS IS AN ORIGINAL UNPUBLISHED DRAWING GREATESTOMER APPROVAL: FOR YOUR PERSONAL USE IN CONNECTION INTO PROJECT PLANNED FOR YOU BY CUMMINGS. IT IS NOT TO BE SHOWN OUTSIDE YOUR ORGANIZATION NOT USED; REPRODUCED, COPIED, OR ENHIBITED IN ANY FASHION UNLESS AUTHORIZED IN WRITING BY AN OFFICEBARE:

Rev. #2

Kroger

DRAWING NO: 1164198625.02







**EXISTING** 

PROPOSED (

Proposed = 265.90 sqft

SCOPE OF WORK: LEFT ELEVATION - REMOVE OVAL AND INSTALL NEW WHITE KROGER WITH CART LETTER SET AND MARKETPLACE LETTER SET - SCALED TO FIT.

\*KROGER OVAL: 90" H X 118" L = 73.75 sqft

\*MARKETPLACE: 54" X 20'6" = 92.25 sqft

\*Total square feet of existing = 166 sqft

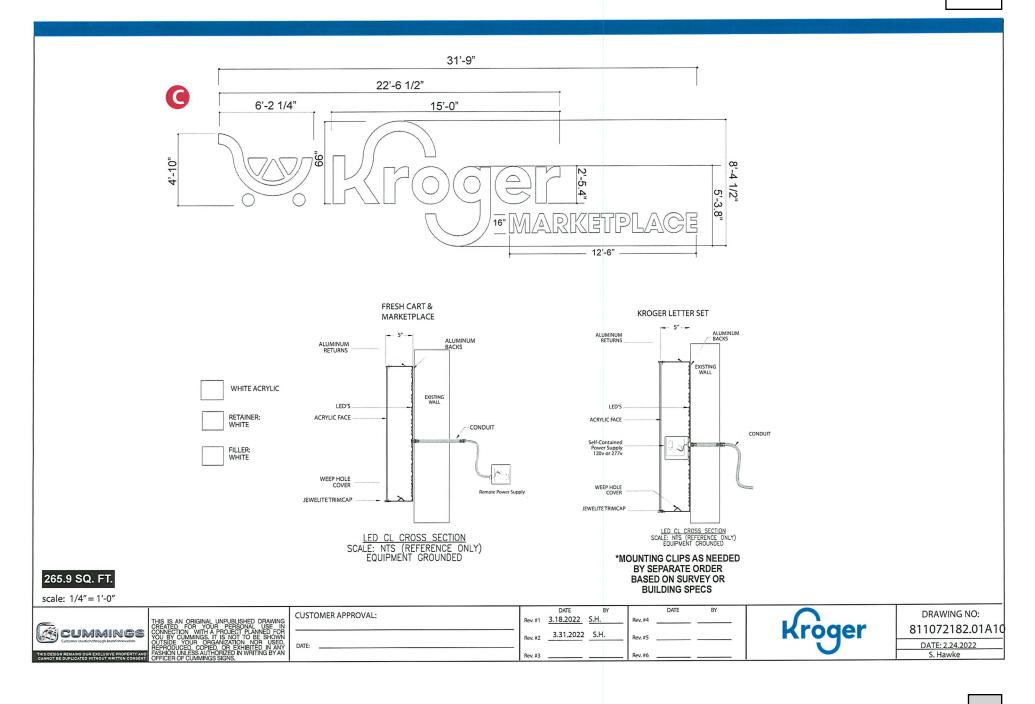
KROGER #759 10951 HIGHLAND ROAD WHITE LAKE, MI



THIS IS AN ORIGINAL UNPUBLISHED DRAWING REQUESTOMER APPROVAL: FOR YOUR PERSONAL USE IN CONNECTION WITH A PROJECT FLANDED FOR YOU BY CUMMINGS. IT IS NOT TO BE SHOWN OUTSIDE YOUR ORGANIZATION NOR USED; REPRODUCED, COPIED, OR EVAILBITED IN ARY ASHION UNLESS AUTHORIZED IN WRITING BY AN OFFICEB<sub>A</sub>FE.



DRAWING NO: 1164198625.02







PROPOS KS DISK.

PROPOSED D 25 sqft

Existing: 42" x 14' = 49 sqft

KROGER #759 10951 HIGHLAND ROAD WHITE LAKE, MI

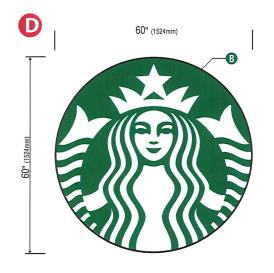


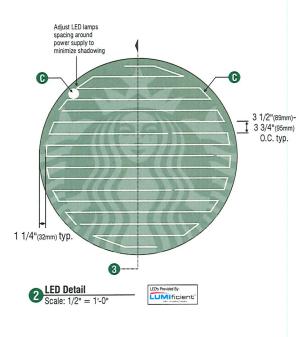
| THIS IS AN ORIGINAL UNPUBLISHED DRAWING OF POR YOUR PERSONAL USE IN CONNECTION M PROJECT PLANNED FOR YOU BY CLIMMINGS. IT IS SHOWN OUTSIDE YOUR ORGANIZATION NOR REPRODUCED. COPIED, OR EXHIBITED IN ANY FUNLESS AUTHORIZED IN WRITING BY AN OFFICIUMINGS SIGNS. | VITH A NOT TO USED, ASHION |
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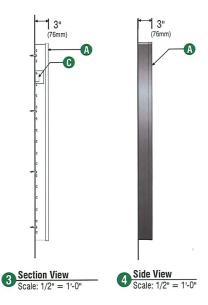
DRAWING NO: 1164198625.02





### SPECIFICATIONS:

- 60"(1524mm) Single faced internally illuminated wall mount logo disk. Cabinet to be 3"(76mm) deep, fabricated aluminum sidewalls and back. Paint cabinet black polyurethane. Faces to be 3/16"(5mm) Acrylite 015-2GP. 1"(25mm) black trimcap with square head screws retainer edging.
- (B) Graphics of logo to be 1st surface 3M Translucent Scotchcal vinyl- Holly Green #3630-76. Siren to show thru White.
- Internally illuminate logo disk with white LED's"installed to back of disk. Power with self-contained multi-volt power supply contained with an U.L. enclosure covered in white vinyl film. Fasten to wall with required fasteners.





Front View
Scale: 1/2" = 1'-0"

THIS IS AN ORIGINAL UNPUBLISHED DRAWING CREATED FOR YOUR PERSONAL USE IN CONNECTION WITH A PROJECT PLANNED FOR YOU BY CUMMINGS SIGNS. IT IS NOT TO BE SHOWN OUTSIDE YOUR ORGANIZATION OF USED, REPRODUCED, COPIED, OR EXHIBITED IN ANY FASHON UNESS AUTHORIZED IN WRITING BY AN OFFICER OF CUMMINGS SIGNS.

CONCEPTUAL DRAWING - FOR PRESENTATION PURPOSES ONLY. NOT FOR USE IN MFG. OR FOR FINAL CUSTOMER APPROVAL

|         | DATE | BY |         | DATE | BY |  |
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| Rev. #2 |      |    | Rev. #5 |      |    |  |
| Bay #3  |      |    | Bov #6  |      |    |  |



DRAWING NO: 84559

DATE: 7-21-2016
S. Hawke





PROPOSED 🕕

Proposed = 31.10 sqft

SCOPE OF WORK: FRONT ELEVATION - REMOVE OVAL COMPLETELY REMOVE AND INSTALL NEW BLUE PHARMACY LETTER SET - SCALED TO FIT \*ARCH: 40' X

- \*KROGER OVAL: 68" H X 90" L = 42.50 sqft
- \*PHARMACY: 24" X 17'6" = 35 sqft
- \*Total square feet of existing = 77.50 sqft

KROGER #759 10951 HIGHLAND ROAD WHITE LAKE, MI



THIS IS AN ORIGINAL UNPUBLISHED DRAWING GREDESTOMER APPROVAL: FOR YOUR PERSONAL USE IN CONNECTION MITH A PROJECT PLANNED FOR YOU BY CUMMINGS. IT IS NOT TO BE SHOWN OUTSIDE YOUR ORGANIZATION NOR DISED. REPRODUCED, COPIED, OR EXHIBITED IN ANY PASHION UNLESS AUTHORIZED IN WRITING BY AN OFFICE DARE:

Rev. #1

Kroger

DRAWING NO: 1164198625.02

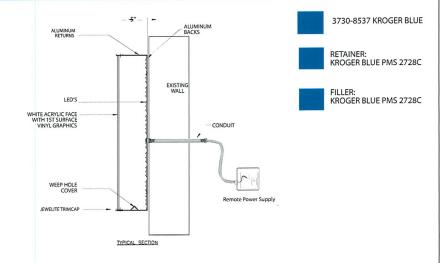
### **PHARMACY SIGNAGE - 2022**

REMOTE LETTER SET Preferred



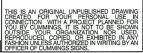
# 2'-0" PHARMACY

-15'-6 7/8"<del>--</del>



31.1 SQ. FT.





CUSTOMER APPROVAL:

Rev. #1

DRAWING NO: 809507037.00A

DATE: 12-10-2021 S. Hawke





PROPOSED 🕕

Proposed = 28.90 sqft

SCOPE OF WORK: PHARMACY CANOPY - INSTALL NEW BLUE PHARMACY DRIVE THRU LETTER SET.

KROGER #759 10951 HIGHLAND ROAD WHITE LAKE, MI



THIS IS AN ORIGINAL UNPUBLISHED DRAWING GRBDESTOMER APPROVAL: FOR YOUR PERSONAL USE IN CONNECTION MITTH A PROJECT PLANNED FOR YOU BY CUMMINGS. IT IS NOT TO BE SHOWN OUTSIDE YOUR ORGANIZATION NOR USED, REPRODUCED, COPIED, OR EXHIBITED IN ANY PASHION UNLESS AUTHORIZED IN WRITING BY AN OFFICEBARE: CUMMINGS SIGNS.

Rev. #2



DRAWING NO: 1164198625.02

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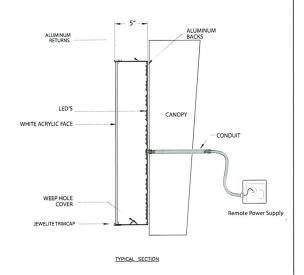
3730-8537 KROGER BLUE

RETAINER: KROGER BLUE PMS 2728C

FILLER: KROGER BLUE PMS 2728C

# 16" PHARMACY DRIVE THRU

21'-8 3/4" -



28.9 SQ. FT.





CUSTOMER APPROVAL:

DATE:

DATE BY DATE BY

Rev. #4

Rev. #5

Rev. #6

Kroger

DRAWING NO: 784347655.02Q

DATE: 11-30-2021 S. Hawke





EXISTING
SCOPE OF WORK: REMOVE MURRAY'S SIGN

PROPOSED

1 Murray's Cheese sign: 32" x 114" = 25.33 sqft

KROGER #759 10951 HIGHLAND ROAD WHITE LAKE, MI



| THIS IS AN ORIGINAL UNPUBLISHED DRAWING OF |        |
|--|--------|
| FOR YOUR PERSONAL USE IN CONNECTION M      | VITH A |
| PROJECT PLANNED FOR YOU BY CUMMINGS. IT IS |        |
| BE SHOWN OUTSIDE YOUR ORGANIZATION NOR     | USED.  |
| REPRODUCED, COPIED, OR EXHIBITED IN ANY FA | ASHION |
| UNLESS AUTHORIZED IN WRITING BY AN OFFIC   | ERAGE. |
| CUMMINGS SIGNS.                            | DATE:  |
|  |        |

|         | DATE | BY |         | DATE | BY | _ |
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| Rev. #2 |      |    | Rev. #5 |      |    |   |
| Rev. #3 |      |    | Rev. #6 |      |    |   |

| Kroge  | r |
|--------|---|
| 111990 |   |

DRAWING NO: 1164198625.02



Tr Item C Scott Ruggies Steve Anderson Andrea C. Voorheis Liz Fessler Smith

### WHITE LAKE TOWNSHIP

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

Kim Allard Allied Signs, Inc. 33650 Giftos Drive Clinton Township, MI 48035

Re: Proposed Signage

Based on the submitted plans, the proposed signage does not satisfy the White Lake Township Clear Zoning Ordinance.

Article 5.9.J.ii.a of the White Lake Township Clear Zoning Ordinance: The maximum size of any individual wall sign shall be two hundred (200) square feet.

**Article 5.9.J.ii.b of the White Lake Township Clear Zoning Ordinance**: Principal buildings with front facades at least 250 feet long may be permitted a total of 3 signs.

Both new "Kroger Marketplace" wall signs are proposed to be more than 200 square feet in size (one proposed at 229.5 square feet and the other 265.9 square feet). Moreover, these signs would result in a total of four wall signs on the approximately 450-foot long building facade fronting M-59.

Furthermore, **Article 7.23.A** states that a nonconforming structure may not be enlarged or altered in a way which increases its nonconformity. The existing "Kroger Marketplace" wall signs are both 166 square feet in size and legally nonconforming. Therefore, replacing them with larger signs violates this Ordinance provision.

Approval of the 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 March 27<sup>th</sup> Zoning Board of Appeals (ZBA) meeting, a complete application must be submitted to the White Lake Township Planning Department no later than March 5<sup>th</sup> at 4:30 PM. The Planning Department can be reached at (248) 698-3300, ext. 5.

Sincerely,

Nick Spencer, Building Official White Lake Township