



ZONING BOARD OF APPEALS MEETING

LOCATION: TOWNSHIP ANNEX, 7527 HIGHLAND ROAD, WHITE LAKE, MICHIGAN 48383
THURSDAY, MAY 23, 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. APPROVAL OF MINUTES
 - A. [April 25, 2024](#)
6. CALL TO THE PUBLIC
7. 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.](#)
8. 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.](#)
 - 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.](#)



- 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.](#)
- 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.](#)

9. OTHER BUSINESS

10. NEXT MEETING DATE: June 27, 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
APRIL 25, 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:

Justin Quagliata, Staff Planner
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).

CALL TO THE PUBLIC

None.

APPROVAL OF MINUTES

A. March 28, 2024

MOTION by Member Seiber, seconded by Member Dehart to approve the minutes of March 28, 2024 as presented. The motion carried with a voice vote: (5 yes votes).

OLD BUSINESS

None.

NEW BUSINESS

- A. Applicant: VersaPro Restoration and Construction
12725 Stark Road
Livonia, MI 48150
Location: **10199 Lakeside Drive**
White Lake, MI 48386 identified as 12-22-477-011
Request: The applicant requests to enlarge and alter a nonconforming structure (house) to construct a second story addition, 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.

Chairperson Spencer noted for the record 50 owners within 300 feet were notified. 0 letters were received in favor, 0 letters were received in opposition, and 0 letters were returned undeliverable from the U.S. Postal Service.

Staff Planner Quagliata briefly went over the Applicant's request.

Member Schillack asked Staff Planner Quagliata if the property was serviced by well and septic. Staff Planner Quagliata confirmed. Member Schillack stated the well and septic did not appear to be on the survey.

Member Schillack stated there was clarification needed since there was a missing dimension on the survey of the southwest corner of the house to the side lot line. He added the ZBA needed all of the data to make accurate decisions.

Member Seiber asked Staff Planner Quagliata about the conditions of approval listed in the staff report, specifically point 2 and 3, if they were regarding the addition only. Staff Planner Quagliata confirmed.

Laura Dobbs, 10199 Lakeside, and Dave Remann from VersaPro were present to speak on behalf of the case. Mr. Remann presented the ZBA with the septic location from the approved septic permit issued by Oakland County. He added the request tonight was for a second story addition. He said he physically measured the house dimension to the side lot line and the addition ran parallel from the northwest corner of the house to the southwest corner. Ms. Dobbs said they were not going roadside anymore, nor building over the garage. The roof was in bad condition, and she wanted to get the project going to mitigate any issues regarding the roof.

Member Schillack stated the ZBA was not legally allowed to approve the setback at the west side yard lot line.

Chairperson Spencer opened the public hearing at 6:48 P.M. Seeing no public comment, she closed the public hearing at 6:48 P.M.

Member Powell said he remembered this case from years ago, and it indeed was a reduced request. He added he spoke to the neighbors when he was on site, and they were in favor of the Applicant's request.

Member Powell said he would like to leave the request for an updated survey up to the Building Official.

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

A. Practical Difficulty

- Member Dehart said the parcel was nonconforming and posed a practical difficulty. Chairperson Spencer agreed.
- Member Schillack added the width of the lot and where the house currently sat was a practical difficulty.

B. Unique Situation

- Member Seiber said the width of the lot and where the house currently sat was a unique situation. Chairperson Spencer agreed.

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 homeowner would not be infringing on the neighbor's substantial justice.

E. Minimum Variance Necessary

- Member Powell said the reduction in the Applicant's current request from the former request was the minimum variance necessary.

Member Schillack MOVED to approve the variances requested by VersaPro Restoration and Construction from Article 7.23.A and Article 7.28.A of the Zoning Ordinance for Parcel Number 12-22-477-011, identified as 10199 Lakeside Drive, in order to construct a second story addition that would encroach 5 feet into the required side yard setback from the west lot line and exceed the allowed value of improvements to a nonconforming structure by 330%. 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, a determination from the Building Official will be made as to whether a revised survey shall be submitted to dimension the setback from the southwest corner of the house to the west side lot line. The side yard setback from the west lot line must be at least five feet.**
- **The addition's roof overhang shall be no closer than five feet to the west side lot line.**

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

- B. 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. A variance is also required from Article 5.7.A due to the proposed setback from an accessory building.

Chairperson Spencer noted for the record 36 owners within 300 feet were notified. 0 letters were received in favor, 0 letters were received in opposition, and 0 letters were returned undeliverable from the U.S. Postal Service.

Staff Planner Quagliata briefly went over the Applicant's request.

Member Seiber asked Staff Planner Quagliata if there was a natural features setback required. Staff Planner Quagliata said no, because the 30-foot rear yard setback was applicable and it was greater than the natural features setback. He stated the more stringent standard applied.

Member Powell asked Staff Planner Quagliata if a second story addition was proposed. Staff Planner Quagliata confirmed, and said the addition would be on the lakeside of the house. He said he received a comment from a neighbor concerned about one of the second story bedrooms not having a window.

Jordan Billet, 8874 Arlington, was present to speak on behalf of his case. He said he designed the plans himself. He had design constraints due to the lot. He said there was a load bearing wall that factored in to how far back the second story addition went.

Member Powell asked the Applicant how long they owned the house. Mr. Billet said eight months. Member Powell asked the Applicant what he used the rear yard shed for. Mr. Billet said it was used primarily for storage. Member Powell asked the Applicant if he gave any thought to removing the shed. Mr. Billet said removing storage to create storage was not a good business strategy. Mr. Billet said he would like to consider other options before moving or removing the shed.

Chairperson Spencer said if the shed could be moved, it should be moved elsewhere on the property.

Member Powell said he would want to see the shed removed from the property for the sake of the neighbor's enjoyment and view of the lake. He added the ZBA had required the removal of similar sheds in previous applications.

Member Seiber asked the Applicant if the 8/12 pitch on the roof could be altered to a 6/12 pitch to reduce a requested variance. Mr. Billet said that change could work.

Member Seiber inquired about the rear yard setback. Staff Planner Quagliata said if the first-floor addition was 10 feet away from the principal building (house), it would not trigger a need for a variance.

Member Powell said he would get rid of the shed since it blocked the homeowner's lake views as well.

Member Seiber stated there was a choice between reducing the size of the first-floor addition, or the removal of the shed completely. Mr. Billet said he would consider adjusting the corner of the addition.

Member Dehart suggested postponing the request so the height variance could be removed and so the Applicant could discuss with his wife what was preferred: the shed or the addition shape and size.

Chairperson Spencer opened the public hearing at 7:21 P.M. Seeing no public comment, she closed the public hearing at 7:21 P.M.

Member Powell asked Staff Planner Quagliata if the shed were removed, would the lot coverage variance be eliminated. Staff Planner Quagliata confirmed.

Member Seiber was not comfortable requiring the Applicant remove the shed. The lot size was a practical difficulty for the applicant. Member Dehart agreed.

Member Seiber added the variance for lot coverage might be eliminated by reducing the size of the addition instead of removing the shed.

Member Seiber asked Staff Planner Quagliata about the 18-inch overhang on the north side of the existing house and if a variance was needed. Staff Planner Quagliata said there were no proposed alterations within 10 feet of that area, so a variance was not needed.

Mr. Billet asked the ZBA to postpone his request until next month.

Member Seiber MOVED to postpone the appeal of Jordan Billet to the next available meeting after the Applicant submitted revised plans for Parcel Number 12-13-157-006, identified as 8874 Arlington Road, to consider comments stated during this public hearing.

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

C. Applicant: Sid Jamil
1767 Carriage Hill
Commerce, MI 48382

Location: **10890 Hillway Drive**

White Lake, MI 48386 identified as 12-34-352-003

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. 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 29 owners within 300 feet were notified. 1 letter was received in favor, 0 letters were received in opposition, and 1 letter was returned undeliverable from the U.S. Postal Service.

Staff Planner Quagliata briefly went over the Applicant's request.

Member Seiber asked Staff Planner Quagliata if the proposed value of improvement to a nonconforming structure listed in the staff report was in addition to what was previously proposed from the Applicant's initial request. Staff Planner Quagliata confirmed.

Sid and Faith Jamil, 1767 Carriage Hill, were present to speak on their case. Lourdes Jamil, their daughter, was also present. They were looking to add to their previously requested variances. Mr. Jamil felt as the construction progressed, there were new ideas they would like to complete.

Member Schillack said his impression from the December 2023 meeting was the Applicants responding to the previous owner's self-created problem. He asked the Applicants if they had future plans beyond this proposal. Mr. Jamil said no, he was done planning and there was nothing more that could be done. Raising the garage roof would not allow for living space; it would be storage space.

Member Dehart appreciated the Applicant connecting to the sewer system.

Member Seiber asked the Applicant how long the house was vacant. Mr. Jamil said it was vacant prior to his purchasing the house; the previous owner had passed away in the house. He wanted to complete the project before the school year started.

Chairperson Spencer opened the public hearing at 7:50 P.M. She read one letter in favor of the Applicant's request into the record. Chairperson Spencer closed the public hearing at 7:51 P.M.

Member Dehart said she originally had concerns with the porch footings, but she spoke with the builder and he was able to show her the footings. Mr. Jamil added his new builder was very anal and did things legitimately.

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

- A. Practical Difficulty
 - Member Dehart said the width of the lot posed a practical difficulty. Chairperson Spencer agreed.
 - Member Schillack added the SEV would continue to be an issue.
- B. Unique Situation
 - Member Seiber said the lot was unique.
 - Member Powell said the house was set back further than the adjacent lots.
 - Member Seiber said the addition would not go past the neighbor's homes.
- C. Not Self-Created
 - Member Schillack said he did not see a self-created issue.
- 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 requested variances would not impact the neighbor's views.
- E. Minimum Variance Necessary
 - Member Schillack said the Applicant was being reserved in their configuration of the addition.

Member Schillack MOVED to approve the variances requested by Sid Jamil from Articles 7.23.A and 7.28.A of the Zoning Ordinance for Parcel Number 12-34-352-003, identified as 10890 Hillway Drive, in order to complete additions that would encroach 3 feet into the required west side yard setback and exceed the allowed value of improvements to a nonconforming structure by an additional 112.5%. This approval will have the following conditions:

- **The Applicant shall obtain all necessary permits from the White Lake Township Building Division.**
- **The Applicant shall submit architectural plans for the additions to the satisfaction of 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.**

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

- D. Applicant: Eric Goins & Julie Rule-Goins
1032 Round Lake Road
White Lake, MI 48386
Location: **1032 Round Lake Road**
White Lake, MI 48386 identified as 12-35-255-013
Request: The applicant requests to enlarge and alter a nonconforming structure (house) to construct a second story addition, requiring variances from Article 7.23.A, Nonconforming Structures and Article 3.1.6.E, R1-D Single Family Residential Minimum Lot Area. 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.

Staff Planner Quagliata briefly went over the Applicant's request

Member Schillack asked Staff Planner Quagliata if there were any recent improvements to the house. Staff Planner Quagliata said he believed the Applicants received a permit for the Building Division a couple years ago, and did not require a variance. The project that received the variance did not proceed.

Eric Goins and Julie Rule, 1032 Round Lake Road, were present to speak on behalf of their case. They waited to work on their project because of COVID, but they were now ready to proceed. The addition would not change the footprint of the house. The house was built in 1932, and the roof was sagging. They were hoping by increasing the pitch of the roof there would be better runoff for snow and rain. The alterations would not impact the surrounding neighbors' views.

Member Schillack asked the Applicants if the increase of the pitch was to prevent the sagging. Mr. Goins confirmed.

Chairperson Spencer opened the public hearing at 8:06 P.M. Seeing no public comment, she closed the public hearing at 8:06 P.M.

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

- A. Practical Difficulty
 - Member Seiber said the roof provided a practical difficulty.
- B. Unique Situation
 - Member Seiber said the roof needed replacing.
- C. Not Self-Created
 - The Applicants did not create the roof pitch.
- D. Substantial Justice
 - Member Dehart said everyone needed a roof.

E. Minimum Variance Necessary

- Member Schillack said Applicants were not asking for anything more than the minimum.

Member Powell MOVED to approve the variances requested by Eric Goins & Julie RuleGoins from Article 7.23.A and Article 7.28.A of the Zoning Ordinance for Parcel Number 12-35-255-013, identified as 1032 Round Lake Road, in order to increase the second-story roof height that would encroach 2 feet-3 inches feet into the required side yard setback from the north lot line and exceed the allowed value of improvements to a nonconforming structure by 119%. A 2,866 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 roof overhang shall be no closer than five feet to the north side lot line.**

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

OTHER BUSINESS

None.

NEXT MEETING DATE: May 23, 2024

ADJOURNMENT

MOTION by Member Dehart, seconded by Member Seiber, to adjourn at 8:13 P.M. The motion carried with a voice vote: (5 yes votes).

**WHITE LAKE TOWNSHIP
ZONING BOARD OF APPEALS**

**REPORT OF THE
COMMUNITY DEVELOPMENT DEPARTMENT**

TO: Zoning Board of Appeals
FROM: Justin Quagliata, Staff Planner
DATE: May 16, 2024

Agenda item: 7a

Appeal Date: May 23, 2024 (Postponed from April 25, 2024)

Applicant: Jordan Billet

Address: 8874 Arlington Road
White Lake, MI 48386

Zoning: R1-D Single Family Residential

Location: 8874 Arlington Road
White Lake, MI 48386

Property Description

The approximately 0.25-acre (11,025 square feet) parcel identified as 8874 Arlington Road is located on Pontiac Lake and zoned R1-D (Single Family Residential). The existing house on the property (approximately 1,475 square feet in size) utilizes a private well for potable water and the public sanitary sewer system for sanitation.

Applicant's Proposal

Jordan Billet, the Applicant, is proposing to construct single- and second-story additions on the house.

Planner's Report

The staff report for the initial request (attached) should be referenced for a more complete overview of the property and project. The following changes were made to the plans since the last meeting:

- The Applicant moved the footprint of the first-floor addition in 3.5 feet to be at least 10 feet from the garage (11.2 feet) and adjusted the pitch of the roof on the second story addition to a 6/12 in order to eliminate the maximum building height variance. Reducing the size of the first-floor addition reduced the lot coverage variance request and eliminated the two variances related to the lakeside accessory building.

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

Nonconformity #	Ordinance Section	Subject	Standard	Request	Result
1	Article 3.1.6.E	Side yard setback	10 feet	0.5 foot	9.5 feet (second story, north side)
2	Article 3.1.6.E	Maximum lot coverage	20% (2,205 square feet)	1% (112 square feet)	21% (2,317 square feet)

The requested variances are listed in the following table.

Variance #	Ordinance Section	Subject	Standard	Requested Variance	Result
1	Article 7.23.A	Nonconforming structure	No enlargement or alteration	Enlarge and alter nonconforming buildings	Increased nonconformities
2	Article 7.28.A	Nonconforming structure	50% SEV (\$60,500)	165%	\$39,500 over allowed improvements

Zoning Board of Appeals Options:

Approval: I move 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 exceeding 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.

Denial: I move to deny the variances requested by Jordan Billet for Parcel Number 12-13-157-006, identified as 8874 Arlington Road, due to the following reason(s):

Postpone: I move to postpone the appeal of Jordan Billet *to a date certain or other triggering mechanism* for Parcel Number 12-13-157-006, identified as 8874 Arlington Road, to consider comments stated during this public hearing.

Attachments:

1. Variance application dated March 25, 2024.
2. Staff report dated April 25, 2024.
3. Revised plot plan (revision date May 1, 2024).
4. Applicant's written statement.
5. Revised plans prepared by the Applicant.
6. Letter of denial from the Building Official dated March 26, 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: Jordan Billet PHONE: 845 475 5990
ADDRESS: 8874 Arlington street ^{White Lake} MI 48386
APPLICANT'S EMAIL ADDRESS: BootscatinBillet@gmail.com
APPLICANT'S INTEREST IN PROPERTY: OWNER BUILDER OTHER: _____

ADDRESS OF AFFECTED PROPERTY: 8874 Arlington st. white ^{lake MI 48386} PARCEL # 12-13-157-006
CURRENT ZONING: R1-D PARCEL SIZE: 11,025 ²foot

STATE REQUESTED VARIANCE AND ORDINANCE SECTION: _____
VALUE OF IMPROVEMENT: \$ 100,000 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: Jordan Billet DATE: 3/25/24

**WHITE LAKE TOWNSHIP
ZONING BOARD OF APPEALS**

**REPORT OF THE
COMMUNITY DEVELOPMENT DEPARTMENT**

TO: Zoning Board of Appeals
FROM: Justin Quagliata, Staff Planner
DATE: April 25, 2024

Agenda item: 8b

Appeal Date: April 25, 2024

Applicant: Jordan Billet

Address: 8874 Arlington Road
White Lake, MI 48386

Zoning: R1-D Single Family Residential

Location: 8874 Arlington Road
White Lake, MI 48386

Property Description

The approximately 0.25-acre (11,025 square feet) parcel identified as 8874 Arlington Road is located on Pontiac Lake and zoned R1-D (Single Family Residential). The existing house on the property (approximately 1,475 square feet in size) utilizes a private well for potable water and the public sanitary sewer system for sanitation.

Applicant's Proposal

Jordan Billet, the Applicant, is proposing to construct single- and second-story additions on the house.

Planner's Report

The existing house was built in 1954 and is nonconforming to setbacks; the building is located 5.2 feet from the north side lot line. A minimum 10-foot side yard setback is required in the R1-D zoning district. The parcel is also nonconforming due to a 975 square foot deficiency in lot area and a 50-foot deficiency in lot width; in the R1-D zoning district the minimum lot area requirement is 12,000 square feet and the minimum lot width requirement is 80 feet.

As proposed the second story is approximately 667 square feet in size and would encroach approximately six inches into the north side yard setback. Also, the proposed building height is 26 feet-4 inches (mid-peak roof height), requiring a 1 foot-4 inch variance to exceed the 25-foot maximum building height.

The proposed first floor addition is approximately 148 square feet in size. Additionally, the proposed lot coverage is 21.41% (2,361 square feet), which is 1.41% (156 square feet) beyond the 20% maximum lot coverage allowed (2,205 square feet).

Section 5.7.A of the Zoning Ordinance states no detached garage or accessory building or structure shall be located closer than 10 feet to any principal structure or building unless it conforms to all regulations of the ordinance applicable to principal structures and buildings. Based on the submitted plot plan, the 12.5-foot by 20.7-foot (258.75 square feet) accessory building is nonconforming with a 2.8-foot setback from the south side lot line and a 10.9-foot setback from Pontiac Lake. With the addition the accessory building would be considered part of the house (7.7 feet between buildings), and therefore subject to the 10-foot side yard setback and 30-foot rear yard setback in the R1-D zoning district. Section 7.27.vii of the Zoning Ordinance prohibits the Zoning Board of Appeals from granting a variance to permit a setback of less than five feet from a side lot line for safety reasons; this would require the Applicant to reconstruct the south side wall of the aforementioned accessory building to be five feet from the side lot line, including the roof overhang. As the garage is located 10.9 feet from the rear property line, a 19.1-foot variance is requested to encroach into the 30-foot rear yard setback.

Article 7.28 of the Zoning Ordinance states repairs and maintenance to nonconforming structures cannot exceed fifty percent (50%) of the State Equalized Valuation (SEV) in any twelve (12) consecutive months. Further, the ordinance does not allow the cubic content of nonconforming structures to be increased. Based on the SEV of the structure (\$121,000), the maximum extent of improvements cannot exceed \$60,500. The value of the proposed work is \$100,000. A variance to exceed to exceed the allowed value of improvements by 165% is requested.

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

Nonconformity #	Ordinance Section	Subject	Standard	Request	Result
1	Article 3.1.6.E	Rear yard setback	30 feet	19.1 feet (accessory building)	10.9 feet
2	Article 3.1.6.E	Side yard setback	10 feet	5 feet (west accessory building; south side lot line)	5 feet (with rebuild)
3	Article 3.1.6.E	Side yard setback	10 feet	0.50 foot	9.5 feet (house – north side)
4	Article 3.1.6.E	Maximum lot coverage	20% (2,205 square feet)	1.41% (156 square feet)	21.41% (2,361 square feet)
5	Article 3.1.6.E	Maximum building height	25 feet	1 foot-4 inches	26 feet-4 inches

The requested variances are listed in the following table.

Variance #	Ordinance Section	Subject	Standard	Requested Variance	Result
1	Article 7.23.A	Nonconforming structure	No enlargement or alteration	Enlarge and alter nonconforming buildings	Increased nonconformities
2	Article 7.28.A	Nonconforming structure	50% SEV (\$60,500)	165%	\$39,500 over allowed improvements
3	Article 5.7.A	Accessory building setback	10 feet	2.3 feet	7.7 feet (from house)

Zoning Board of Appeals Options:

Approval: I move 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 nonconforming buildings by: allowing the second-story addition to encroach 0.5 foot into the required setback from the north side lot line and exceeding the maximum building height by 1 foot-4 inches; allowing the west accessory building to encroach 5 feet into the required setback from the south side lot and 19.1 feet into the required rear yard setback; and exceeding the allowed lot coverage by 1.41%. A variance from Article 7.28.A is also granted to exceed the allowed value of improvements to a nonconforming structure (house) by 165%. A 2.3-foot variance from Article 5.7.A is also granted to allow the house to encroach into the required setback from the west accessory building. This approval will have the following conditions:

- The Applicant shall obtain all necessary permits from the White Lake Township Building Division.
- The south side wall of the west accessory building shall be removed and reconstructed to establish a five-foot side yard setback, which shall be measured from the roof overhang of the accessory building.
- 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 Jordan Billet for Parcel Number 12-13-157-006, identified as 8874 Arlington Road, due to the following reason(s):

Postpone: I move to postpone the appeal of Jordan Billet *to a date certain or other triggering mechanism* for Parcel Number 12-13-157-006, identified as 8874 Arlington Road, to consider comments stated during this public hearing.

Attachments:

1. Variance application dated March 25, 2024.
2. Plot plan (revision date March 21, 2024).
3. Applicant's written statement.
4. Plans prepared by the Applicant.
5. Letter of denial from the Building Official dated March 26, 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.

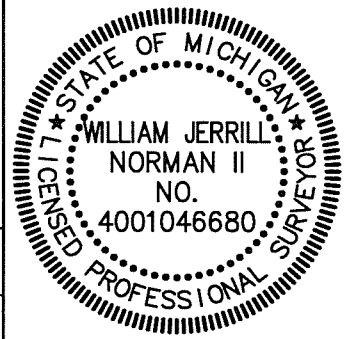
KIEFT ENGINEERING, INC.

PROFESSIONAL CIVIL ENGINEERS AND LAND SURVEYORS



5852 South Main Street, Ste #1
Clarkston, Michigan 48346
Tel: 248-625-5251
Fax: 248-625-7110
www.kiefteng.com

CERTIFICATE OF SURVEY



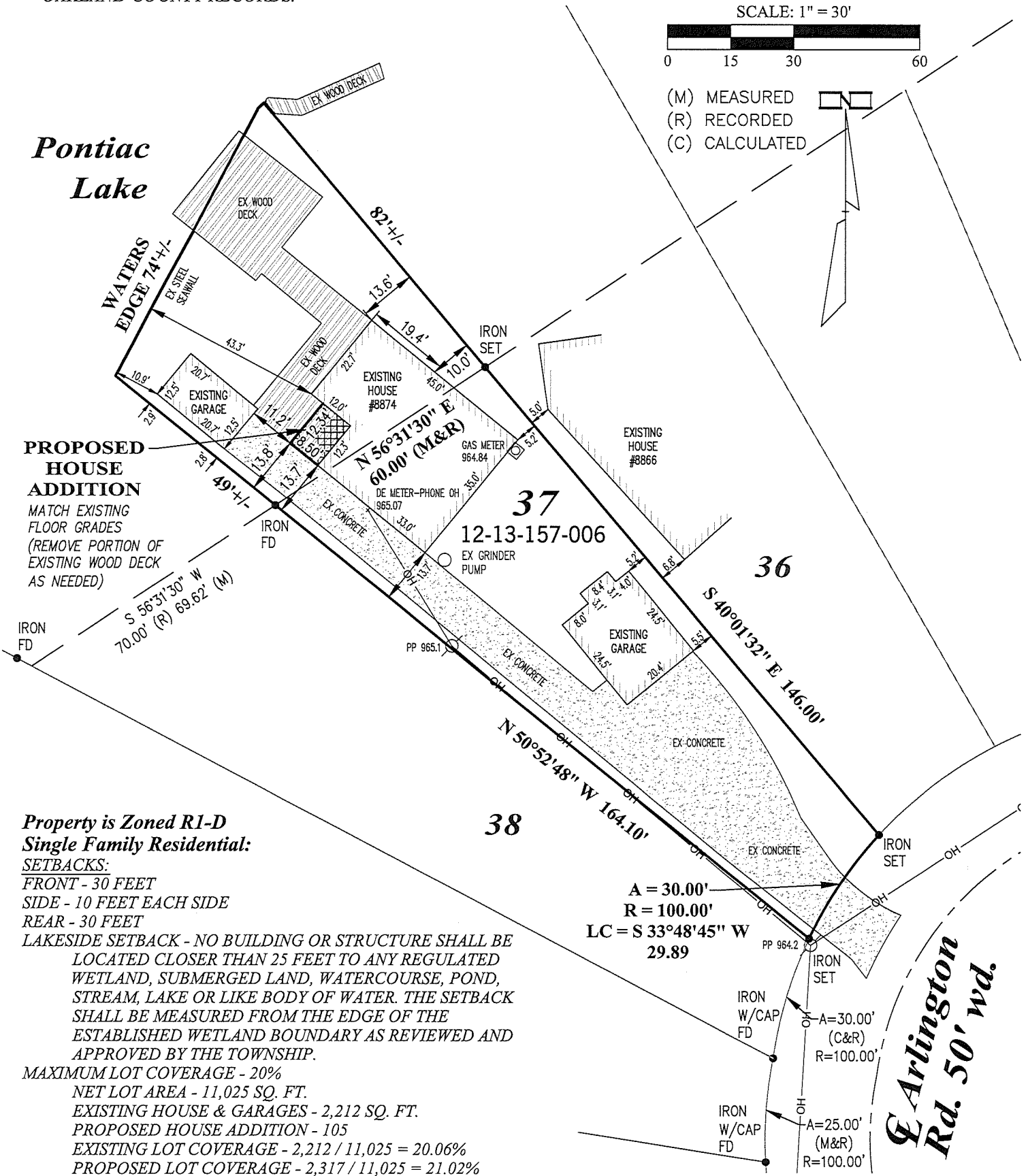
Survey for	JORDAN BILLET	REV.	5-1-2024, 3-21-2024
		Date	2-14-2024
Address	8874 ARLINGTON RD. WHITE LAKE, MI 48386	Job No.	2023.303

PLOT PLAN FOR HOUSE ADDITION

This is to certify that I, William J. Norman II, a Professional Land Surveyor, have this date made a survey of a parcel of land described as follows:

PARCEL 12-13-157-006

LOT 37, "ENGLISH VILLAS SUBDIVISION" A SUBDIVISION OF PART OF SECTIONS 11, 13 & 14, T3N, R8E, WHITE LAKE TOWNSHIP, OAKLAND COUNTY, MICHIGAN. AS RECORDED IN LIBER 51 OF PLATS, PAGES 22 & 22A, OAKLAND COUNTY RECORDS.



Pontiac Lake

PROPOSED HOUSE ADDITION
MATCH EXISTING FLOOR GRADES
(REMOVE PORTION OF EXISTING WOOD DECK AS NEEDED)

Property is Zoned R1-D Single Family Residential:

- SETBACKS:**
 FRONT - 30 FEET
 SIDE - 10 FEET EACH SIDE
 REAR - 30 FEET
 LAKESIDE SETBACK - NO BUILDING OR STRUCTURE SHALL BE LOCATED CLOSER THAN 25 FEET TO ANY REGULATED WETLAND, SUBMERGED LAND, WATERCOURSE, POND, STREAM, LAKE OR LIKE BODY OF WATER. THE SETBACK SHALL BE MEASURED FROM THE EDGE OF THE ESTABLISHED WETLAND BOUNDARY AS REVIEWED AND APPROVED BY THE TOWNSHIP.
 MAXIMUM LOT COVERAGE - 20%
 NET LOT AREA - 11,025 SQ. FT.
 EXISTING HOUSE & GARAGES - 2,212 SQ. FT.
 PROPOSED HOUSE ADDITION - 105
 EXISTING LOT COVERAGE - 2,212 / 11,025 = 20.06%
 PROPOSED LOT COVERAGE - 2,317 / 11,025 = 21.02%

Arlington Rd. 50' wd.

The reasons for the addition and why we are requesting a variance

1. there is nowhere else to build out.

a. on the front of the house, there is a grinder pump to work around that isnt moved easily, as well as AC and a generator. The house design is all bed rooms on that side, so building out there would mean further renovations to remove a bedroom to replace with a hallway reducing square footage to add more.

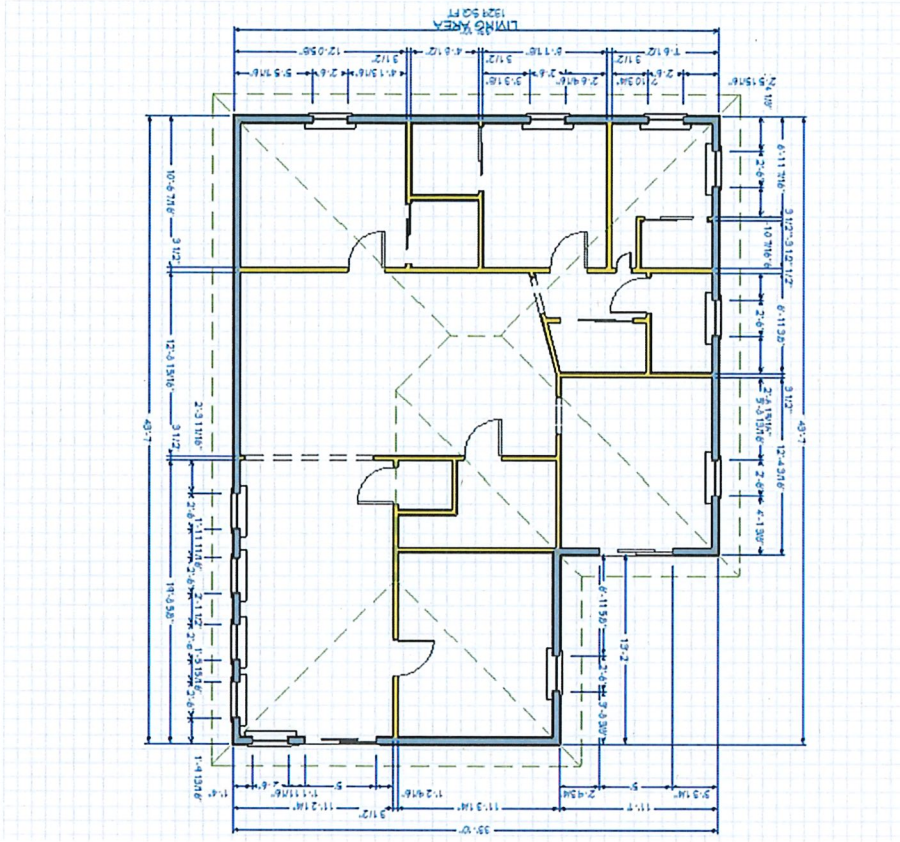
b. There is only roughly ~10 feet on ether side of the house now.

c. off the back of the house there is only ~13 feet to work with and would need to be offset from the current house making a funky shape that would not be very useful footage

2. the expansion of the foot print is due to maximizing square footage while minimizing materials and construction effort, we are bringing the house to a square from an unnatural shape it is now

3. The upstairs is brought back far enough to need a variance because that is where existing headers and load bearing walls are. Anywhere else would require much more structural work below to support the wall.

4. the peak being higher is to accommodate an attic



After addition

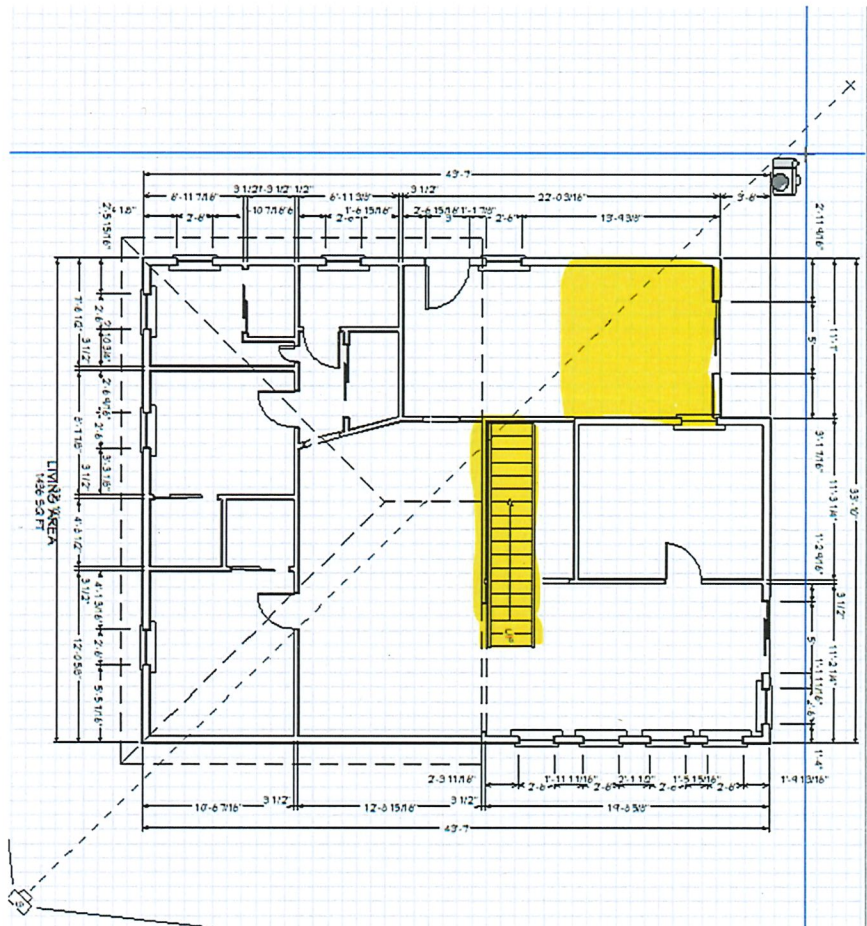
Extend kitchen on first floor

Add second story on ~1/2 the house – 9 foot walls

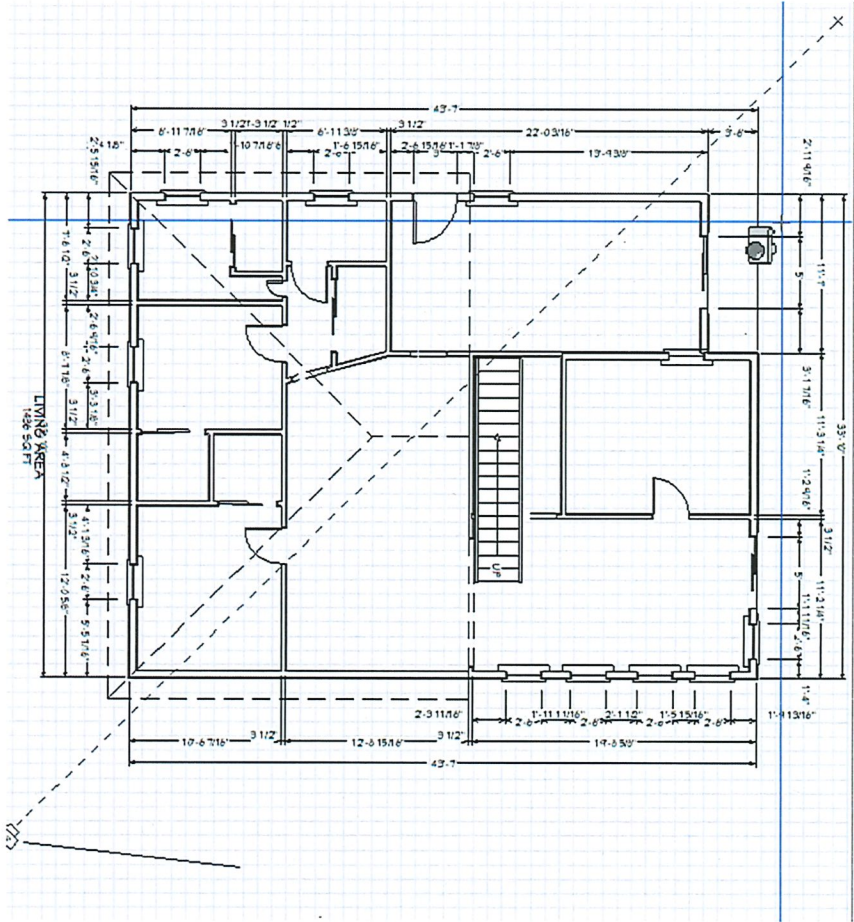
Attic added above the 2nd story 6/12 roof pitch

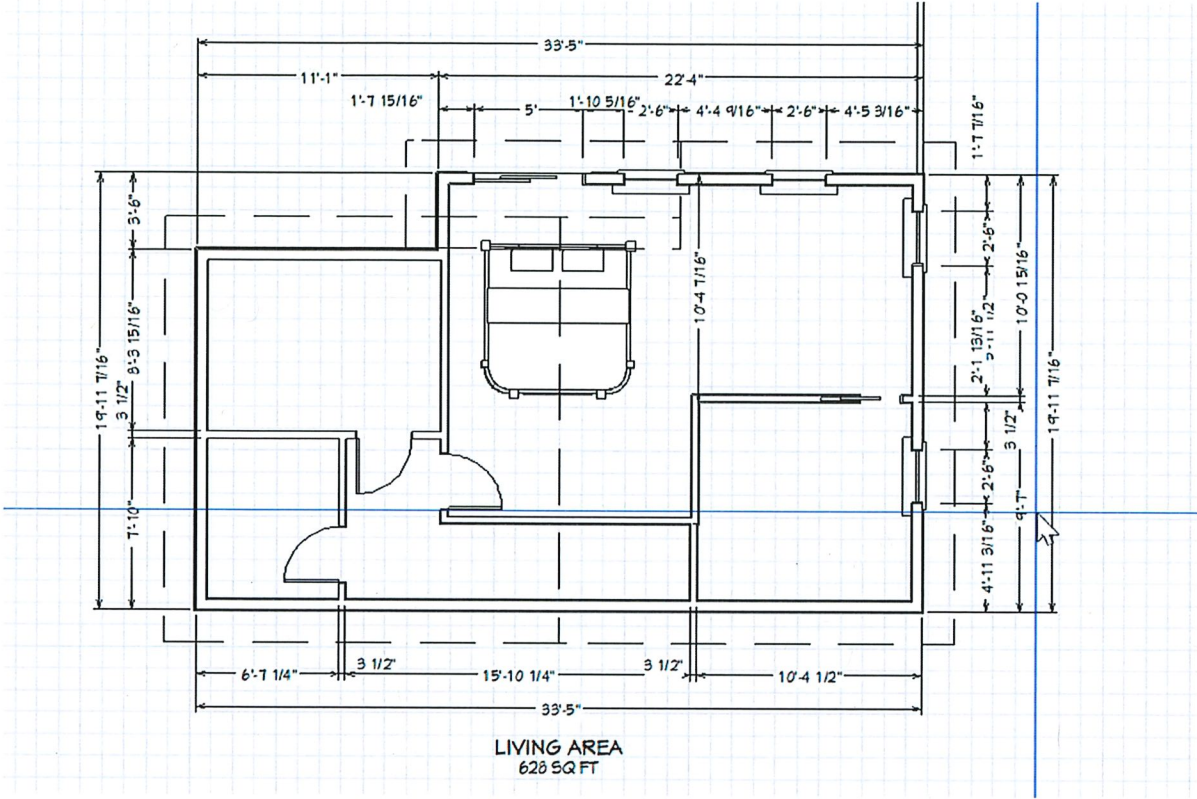
Deck to be added later

First story



Second story









Heights shown are measured from top of foundation. To account to foundation to grade assume another 1-2 foot

$$(29'6''+20'5'')/2 = 24' 11.5''$$

Truss Specifications

Truss Specifications

Truss Span 34 ft 0 in 0 /16

Truss Pitch 8 /12

On Center Spacing 2 ft 0 in 0 /16

Left Overhang 12 in 0 /16

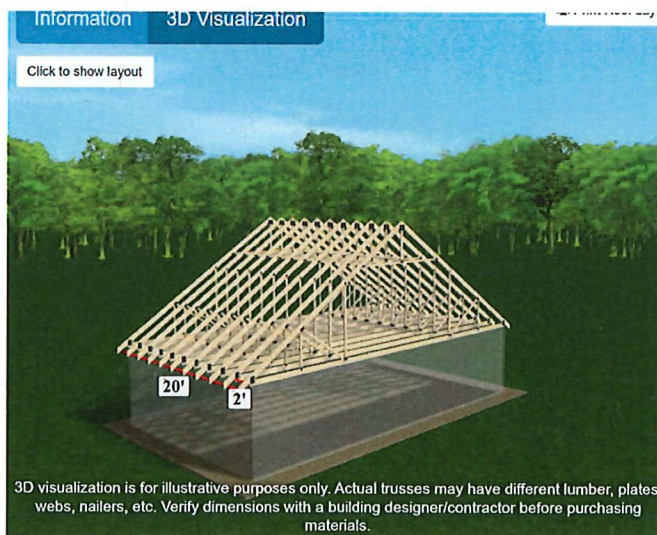
Right Overhang 12 in 0 /16

Inside Clear Height 8 ft

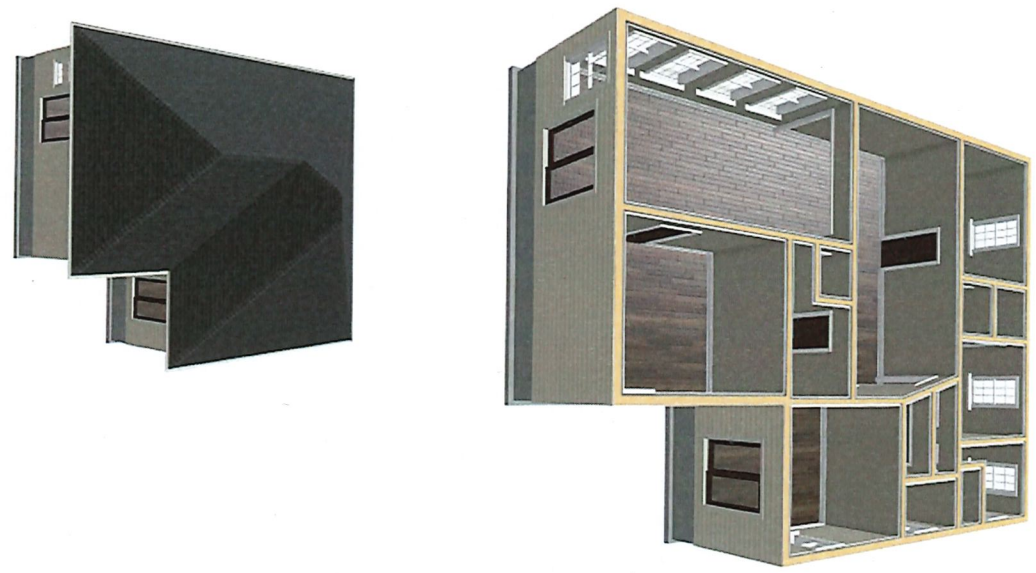
Quantity 11

Engineering Requirements

Live Load Top Chord 30 psf



Current house views



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

March 26, 2024

Jordan Billet
8874 Arlington Rd
White Lake, MI 48386

RE: 1st and 2nd story addition

Based on the submitted plans, the proposed 1st and 2nd story addition do not satisfy the White Lake Township Clear Zoning Ordinance for R1-D zoning district.

Article 3.1.6 of the White Lake Township Clear Zoning Ordinance: Requires a minimum side yard setback of 10 ft, minimum lot width of 80 ft, maximum lot coverage of 20% and maximum building height of 25 ft.

The existing lot is legal non-conforming with a lot width of 30 ft. The proposed 1st story addition would increase the lot coverage to 21.41%. The proposed 2nd story addition would encroach approximately 6 inches into the required side yard setback, and have a mid-peak roof height of 26 ft - 4 in.

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 April 25th Zoning Board of Appeals (ZBA) meeting, complete application must be submitted to the White Lake Township Planning Department no later than March 28th at 4:30 PM. ***The certified boundary and location survey must show all proposed structures.*** The Planning Department can be reached at (248)698-3300, ext. 5

Sincerely,

Nick Spencer, Building Official
White Lake Township

WHITE LAKE TOWNSHIP ZONING BOARD OF APPEALS

REPORT OF THE COMMUNITY DEVELOPMENT DEPARTMENT

TO: Zoning Board of Appeals
FROM: Justin Quagliata, Staff Planner
DATE: May 16, 2024

Agenda item: 8a

Appeal Date: May 23, 2024

Applicant: Vinyl Sash of Flint, Inc.

Address: 5433 Fenton Road
Grand Blanc, MI 48507

Zoning: R1-D Single Family Residential

Location: 9471 Cedar Island Road
White Lake, MI 48386

Property Description

The approximately 0.12-acre (5,184 square feet) parcel identified as 9471 Cedar Island Road is located on Round Lake and zoned R1-D (Single Family Residential). The existing house on the property (approximately 1,450 square feet in size) utilizes a private well for potable water and a private septic system for sanitation.

Applicant's Proposal

Vinyl Sash of Flint, Inc., the Applicant, on behalf of property owners Sara and Greg Leshok, is proposing to construct an addition (sunroom) off the rear of the house.

Planner's Report

Currently the existing house is nonconforming to setbacks; the building is located 1.4 feet from the east side property line, approximately 1.7 feet from the west side property line (the submitted survey does not dimension the house from the closest point to the property line), and approximately 17 feet from the front property line (the submitted survey does not dimension the house from the closest point to the property line). A minimum 10-foot side yard setback and 30-foot front yard setback is required in the R1-D zoning district. The parcel is also nonconforming due to a 6,816 square foot deficiency in lot area and a 32-foot deficiency in lot width. In the R1-D zoning district the minimum lot area requirement is 12,000 square feet and the minimum lot width requirement is 80 feet.

The proposed addition is 225 square feet in size and located 6.1 feet from the west side lot line, thereby encroaching 3.9 feet into the required side yard setback. Note the building plans submitted by the Applicant provide different dimensions for the addition than indicated on the surveyor's site plan. Also, information on lot coverage was not provided. It appears the existing and/or proposed lot coverage may exceed the maximum allowable 20%. Prior to issuance of a building permit, the survey must 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. Note a pending Zoning Ordinance amendment would allow 25% lot coverage for parcels served by septic systems in the R1-D zoning district.

Article 7.28 of the Zoning Ordinance states repairs and maintenance to nonconforming structures cannot exceed fifty percent (50%) of the State Equalized Valuation (SEV) in any twelve (12) consecutive months. Further, the ordinance does not allow the cubic content of nonconforming structures to be increased. Based on the SEV of the building (\$85,620), the maximum extent of improvements cannot exceed \$42,810. The value of the proposed work is \$59,602. A variance to exceed the allowed value of improvements by 140% is requested.

The requested variances are listed in the following table.

Variance #	Ordinance Section	Subject	Standard	Requested Variance	Result
1	Article 7.23.A	Nonconforming structure	No enlargement or alteration	Enlarge and alter nonconforming house	Increased nonconformities
2	Article 7.28.A	Nonconforming structure	50% SEV (\$42,810)	140%	\$16,792 over allowed improvements
3	Article 3.1.6.E	Minimum lot area	12,000 square feet	6,816 square feet	5,184 square feet
4	Article 3.1.6.E	Minimum lot width	80 feet	32 feet	48 feet

Zoning Board of Appeals Options:

Approval: I move 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.
- 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.

Denial: I move to deny the variances requested by Vinyl Sash of Flint, Inc. for Parcel Number 12-35-254-007, identified as 9471 Cedar Island Road, due to the following reason(s):

Postpone: I move to postpone the appeal of Vinyl Sash of Flint, Inc. *to a date certain or other triggering mechanism* for Parcel Number 12-35-254-007, identified as 9471 Cedar Island Road, to consider comments stated during this hearing.

Attachments:

1. Variance application dated February 26, 2024.
2. Sketch of survey dated April 11, 2024 (revision date April 15, 2024).
3. Addition plans prepared by the Applicant.
4. Letter of denial from the Building Official dated January 26, 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: Vinyl Sash of Flint, Inc PHONE: 810-234-4831
ADDRESS: 5433 Jenton Road, Grand Blanc, MI 48507
APPLICANT'S EMAIL ADDRESS: hello@vinylsash.co (not.com)
APPLICANT'S INTEREST IN PROPERTY: OWNER BUILDER OTHER: _____

ADDRESS OF AFFECTED PROPERTY: 9471 Cedar Island PARCEL # 12-35-254-007
CURRENT ZONING: _____ PARCEL SIZE: 5,184 sq. ft.

STATE REQUESTED VARIANCE AND ORDINANCE SECTION: Article 3.1.6. of the
White Lake Township Clear Zoning Ordinance.
VALUE OF IMPROVEMENT: \$ 59,600⁰⁰ SEV OF EXISITING STRUCTURE: \$ 254,918⁰⁰

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

APPLICATION FEE: \$ 385⁰⁰ (CALCULATED BY THE COMMUNITY DEVELOPMENT DEPARTMENT)
APPLICANT'S SIGNATURE: _____ DATE: 2-26-24

RECEIVED

FEB 26 2024

BUILDING
DEPARTMENT

SKETCH OF SURVEY

Prepared For: SARA LESHOK

Legal Description: PARCEL ID: 12-35-254-007

Lot 7, Block 4, ROUND LAKE OVERLOOK, a subdivision of part of the W 1/4, S 1/2; NE 1/4 of Section 35, T. 3 N., R. 8 E., White Lake Township, Oakland County, Michigan as recorded in Oakland County Records.

ZONING:

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

SETBACKS:

FRONT: = 30 feet
SIDES: = 10 feet MIN.
REAR: = 30 feet

NOTES:

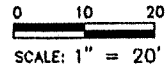
NO TITLEWORK WAS SUPPLIED BY CLIENT, THEREFORE ALL EASEMENTS OF RECORD MAY NOT BE SHOWN.

NEIGHBOR'S SHED AND SHED ROOF OVERHANG CROSS LOT LINE (AS SHOWN).

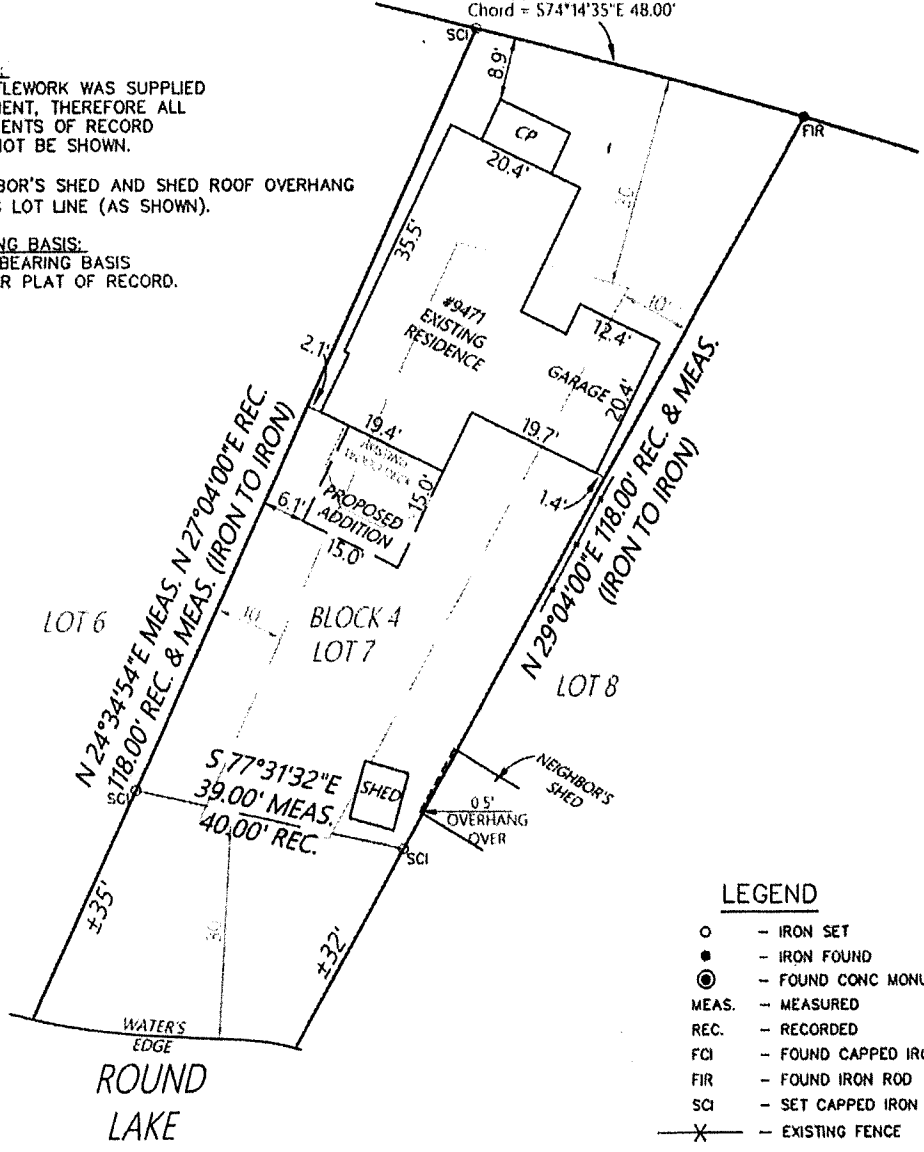
BEARING BASIS:

HELD BEARING BASIS AS PER PLAT OF RECORD.

CEDAR ISLAND DRIVE
(66' WIDE)



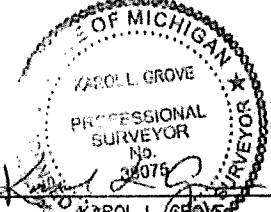
CURVE DATA:
R = 1060.65' L = 48.00'
Chord = S74°14'35"E 48.00'



LEGEND

- O - IRON SET
- - IRON FOUND
- ⊙ - FOUND CONC MONUMENT
- MEAS. - MEASURED
- REC. - RECORDED
- FCI - FOUND CAPPED IRON
- FIR - FOUND IRON ROD
- SCI - SET CAPPED IRON
- X - EXISTING FENCE

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.

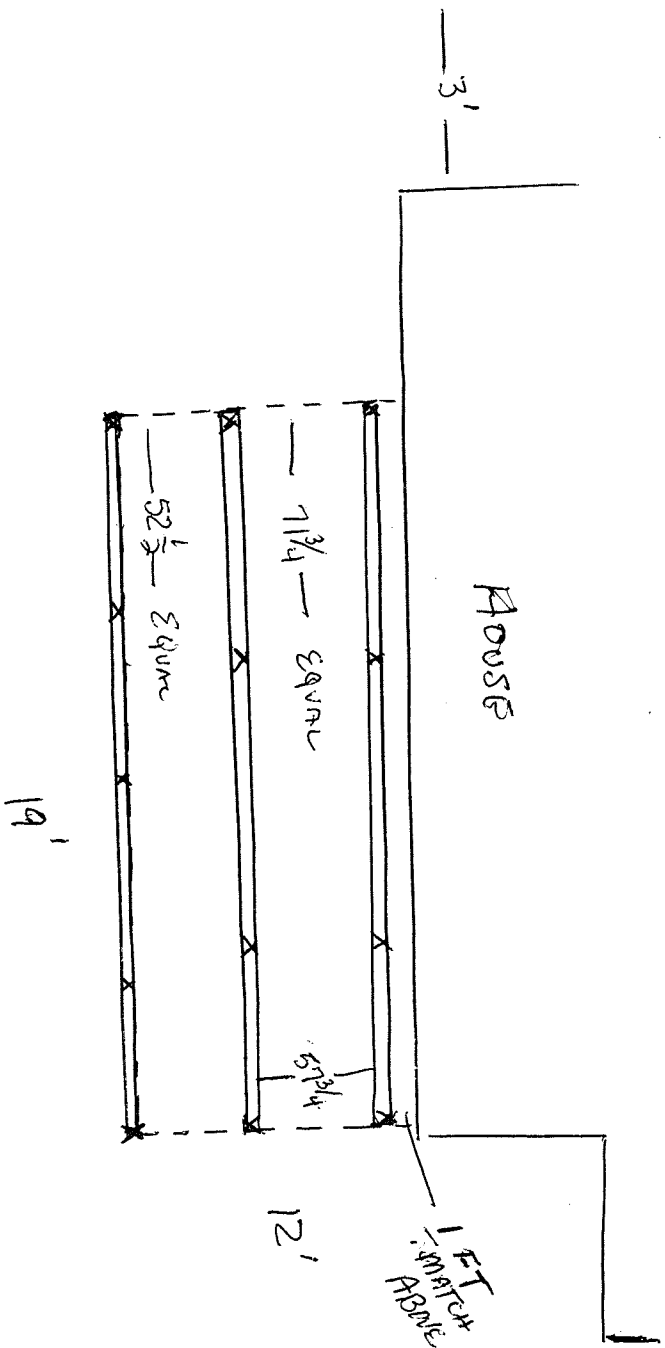


LICENSED PROFESSIONAL SURVEYOR #39075

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

FIELD:	KG	DATE:	04-11-2024
DRAWN:	DJS	JOB NO:	24-6645
CHECKED:	KG	SHEET:	1 OF 1
REVISED:	4-16-24	REVISE #2	SIZE OF PROPOSED ADDITION

Greg + Sarah Lesler
9477 Cedar Grove Rd



TEAR OUT EXISTING DECK BALCONY PATIO DOOR

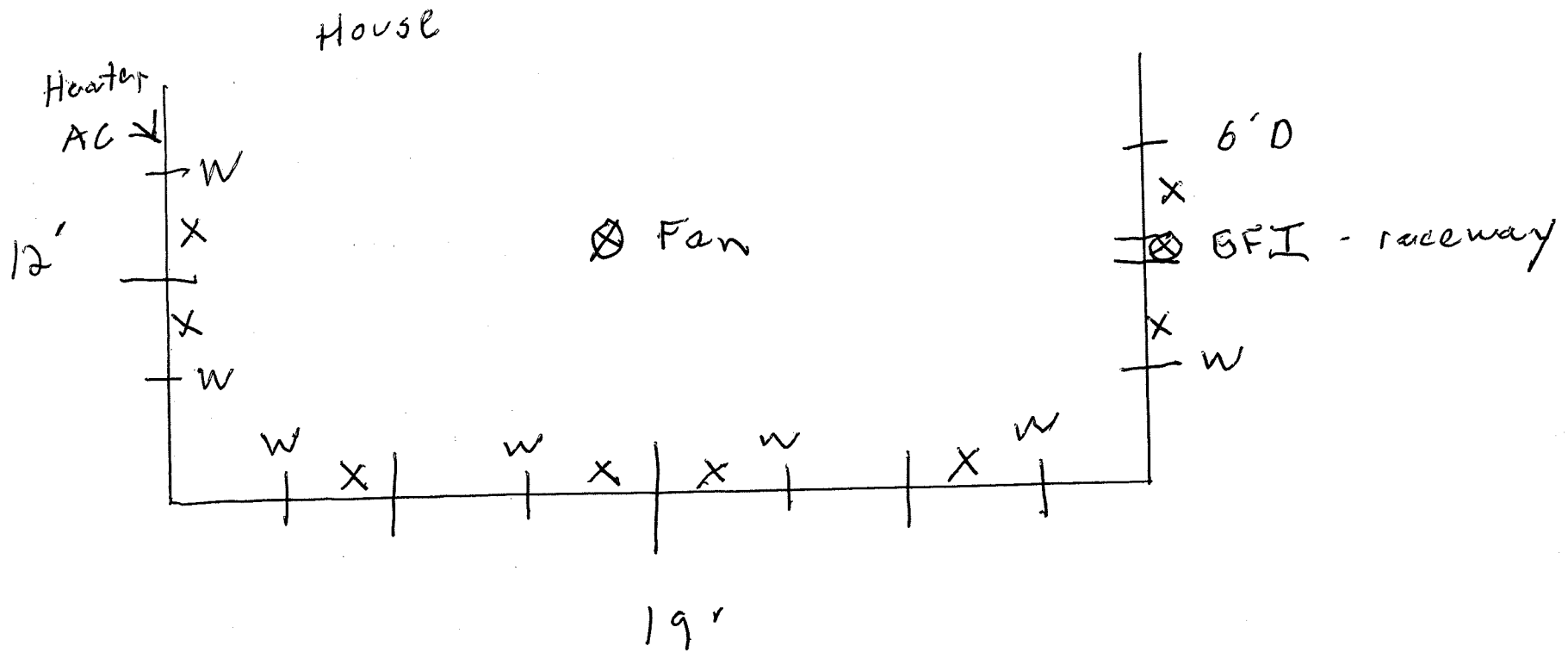
19' X 12' 6 1/2" R-CENTRAL FLOOR SYSTEM (SEE DRAWINGS)

X 4" X 6" POSTS 42" DEEP 12" HOLES ON CONCRETE

2" X 8" BEAMS

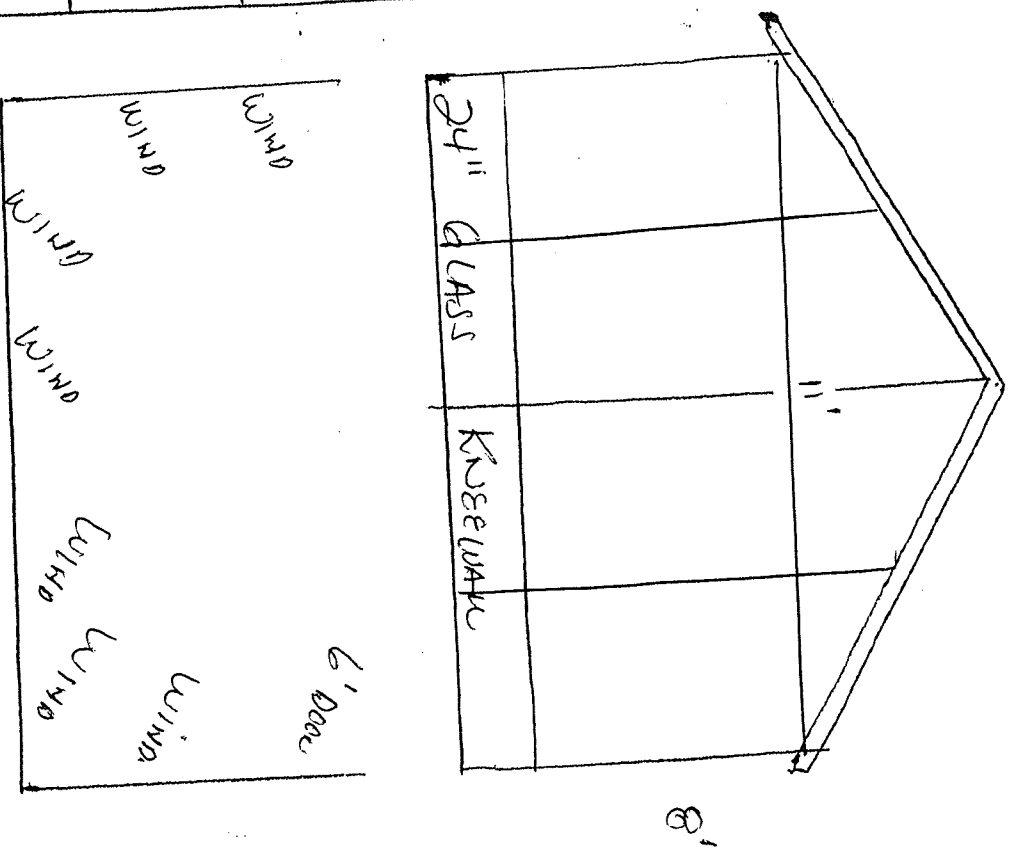
12' X 4' 6 1/2" R-CENTRAL FLOOR RAVERS

57" X 36" WINDOWS IN PLACE OF 5' DOOR (SAME HEIGHT)



GREG + SARAH LESLICK
9477 CEDAR ISLAND RD.

19' x 12' SEASONAL GABLE
 PARTI ROOM
 A WALL 2 WINDOWS
 B WALL 4 WINDOWS
 C WALL 6' PARTI DOOR 1 WINDOW
 24" GLASS KNEEWALL B/WALL
 TRUSSOM GLASS ALL
 ROOF SYSTEM
 11' x 12' x 2
 3 1/8" x 12" LAM BEAM
 DOE + WATER ENTIRE ROOF
 WITH MATCHING SHINGLES
 JAN WENT SLEQUITE TO DO
 SLEQUITE PACKAGE



SEE + SPEAK LESS HOE
 9471 CEDAR ISLAND

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

January 26, 2024

Vinyl Sash of Flint
5433 Fenton Rd
Grand Blanc, MI 48507

RE: Addition at 9471 Cedar Island

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

Article 3.1.6 of the White Lake Township Clear Zoning Ordinance: Requires a minimum side yard setback of 10 ft, and minimum lot width of 80 ft.

Based on aerial imagery the existing lot and residential structure are legal non-conforming with a lot width of 48 ft, and a side yard setback of approximately 3 ft. The proposed structure would further expand this nonconformity as it does not meet the required 10 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 February 22nd Zoning Board of Appeals (ZBA) meeting, complete application must be submitted to the White Lake Township Planning Department no later than January 31st at 4:30 PM. **A certified survey showing setbacks and lot coverage of all structures, will be required by the ZBA.** The Planning Department can be reached at (248)698-3300, ext. 5

Sincerely,

Nick Spencer, Building Official
White Lake Township

WHITE LAKE TOWNSHIP ZONING BOARD OF APPEALS

REPORT OF THE COMMUNITY DEVELOPMENT DEPARTMENT

TO: Zoning Board of Appeals
FROM: Justin Quagliata, Staff Planner
DATE: May 16, 2024

Agenda item: 8b

Appeal Date: May 23, 2024

Applicant: Lisa Gulda

Address: 5033 Thicket Lane
Clarkston, MI 48346

Zoning: AG Agricultural and SF Suburban Farms

Location: Parcel Number 12-16-200-030

Property Description

The 15-acre parcel (14.32 net acres) identified as Parcel Number 12-16-200-030 is located on Haley Road and zoned AG (Agricultural) and SF (Suburban Farms). The property is undeveloped.

Applicant's Proposal

Lisa Gulda, the Applicant, is proposing to divide a parcel containing split zoning.

Planner's Report

The north and west portions of the subject property are zoned AG. However, the majority of the property is zoned SF. The Applicant approached the Township with a request to divide the subject property to create four new parcels (five parcels total) under the SF lot size (area and width) standards. Based on the split zoning of the property, by right the Applicant could divide the parcel to create three new parcels (four parcels total); under this scenario the northerly parcel would be created to AG lot size (area and width) standards and the three southerly parcels would consist of the SF lot size (area and width) standards.

The AG zoning district requires a minimum lot area of five acres and a minimum lot width of 300 feet. The SF zoning district requires a minimum lot area of two acres and a minimum lot width of 165 feet. Each proposed parcel exceeds the minimum standards for both lot area and lot width of the SF zoning district. However, as previously stated, the new northerly parcel must meet the AG lot size (area and width) standards as this proposed parcel would primarily be zoned AG. A 120-foot lot width variance and 2.04-acre lot area variance are requested for Parcel 1-A (the proposed northerly parcel). Note a pending Zoning Ordinance amendment would not exclude public and private road rights-of-way and easements from minimum lot area calculations in the AG, SF, and R1-A (Single-Family Residential) zoning districts. This proposed amendment would not affect this request, as the gross lot area of proposed Parcel 1-A (3.10 acres) would still be 1.90 acres deficient in lot area.

The proposed partitioning of the subject property would require a land division, which would be considered by the Assessor. The Applicant intends to apply for a land division pending the outcome of the variance requests.

The requested variances are listed in the following table.

Variance #	Ordinance Section	Subject	Standard	Requested Variance	Result
1	Article 3.1.1.F (AG)	Minimum lot area	5 acres	2.04 acres (Parcel 1-A)	2.96 net acres (Parcel 1-A)
2	Article 3.1.1.F (AG)	Minimum lot width	300 feet	120 feet (Parcel 1-A)	180 feet (Parcel 1-A)

Zoning Board of Appeals Options:

Approval: I move to approve the variances requested by Lisa Gulda from Article 3.1.1.F of the Zoning Ordinance for Parcel Number 12-16-200-030 in order to divide a parcel in the AG zoning district with the partitioning creating proposed Parcel 1-A, requiring a 120-foot lot width variance and 2.04-acre lot area variance. This approval will have the following conditions:

- The Applicant shall apply for and receive land division approval from the Township Assessor.

Denial: I move to deny the variances requested by Lisa Gulda for Parcel Number 12-16-200-030 due to the following reason(s):

Postpone: I move to postpone the appeal of Lisa Gulda *to a date certain or other triggering mechanism* for Parcel Number 12-16-200-030 to consider comments stated during this hearing.

Attachments:

1. Variance application dated April 24, 2024.
2. Existing parcel survey and legal descriptions dated June 30, 2020.
3. Proposed parcel survey and legal descriptions dated March 13, 2022.
4. Zoning Map showing the subject property's zoning.

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 B.

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

APPLICANT'S NAME: Lisa Gulda PHONE: (248) 904-8571

ADDRESS: 5033 Thicket Lane, Clarkston, Mi 48346

APPLICANT'S EMAIL ADDRESS: lisagulda@yahoo.com

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

ADDRESS OF AFFECTED PROPERTY: Vacant PARCEL # 12 - 16-200-030

CURRENT ZONING: Suburban Farm
Agricultural PARCEL SIZE: 15 acres

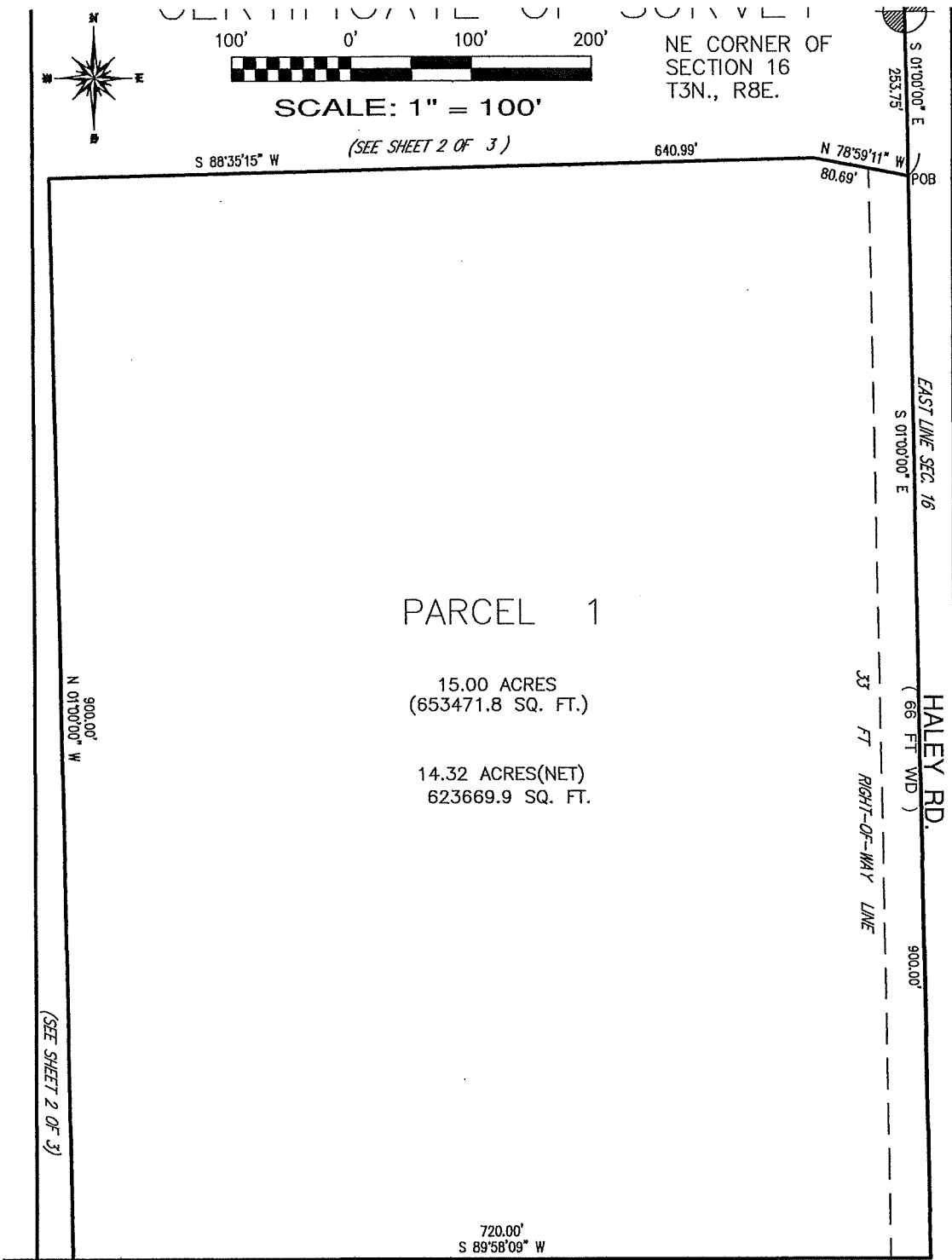
STATE REQUESTED VARIANCE AND ORDINANCE SECTION: _____

VALUE OF IMPROVEMENT: \$ _____ 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: Lisa Gulda DATE: 4/24/24



ISSUED FOR:	REV'D BY:	ISSUED FOR:	REV'D BY:
THOMAS M. SMITH P.S. PROFESSIONAL LAND SURVEYOR			
7559 OLDE STURBRIDGE TRAIL tsmith7559@yahoo.com CLARKSTON, MICHIGAN 48348 PHONE: (248) 625-3276			
DRAWN BY TMS	JOB No. 20-171		
DATE 08-30-20	SHEET No. 1 OF 3		
SCALE 1"=100'		DESCRIPTION PT SEC 16, T3N., R8E WHITE LAKE TWP., MI	

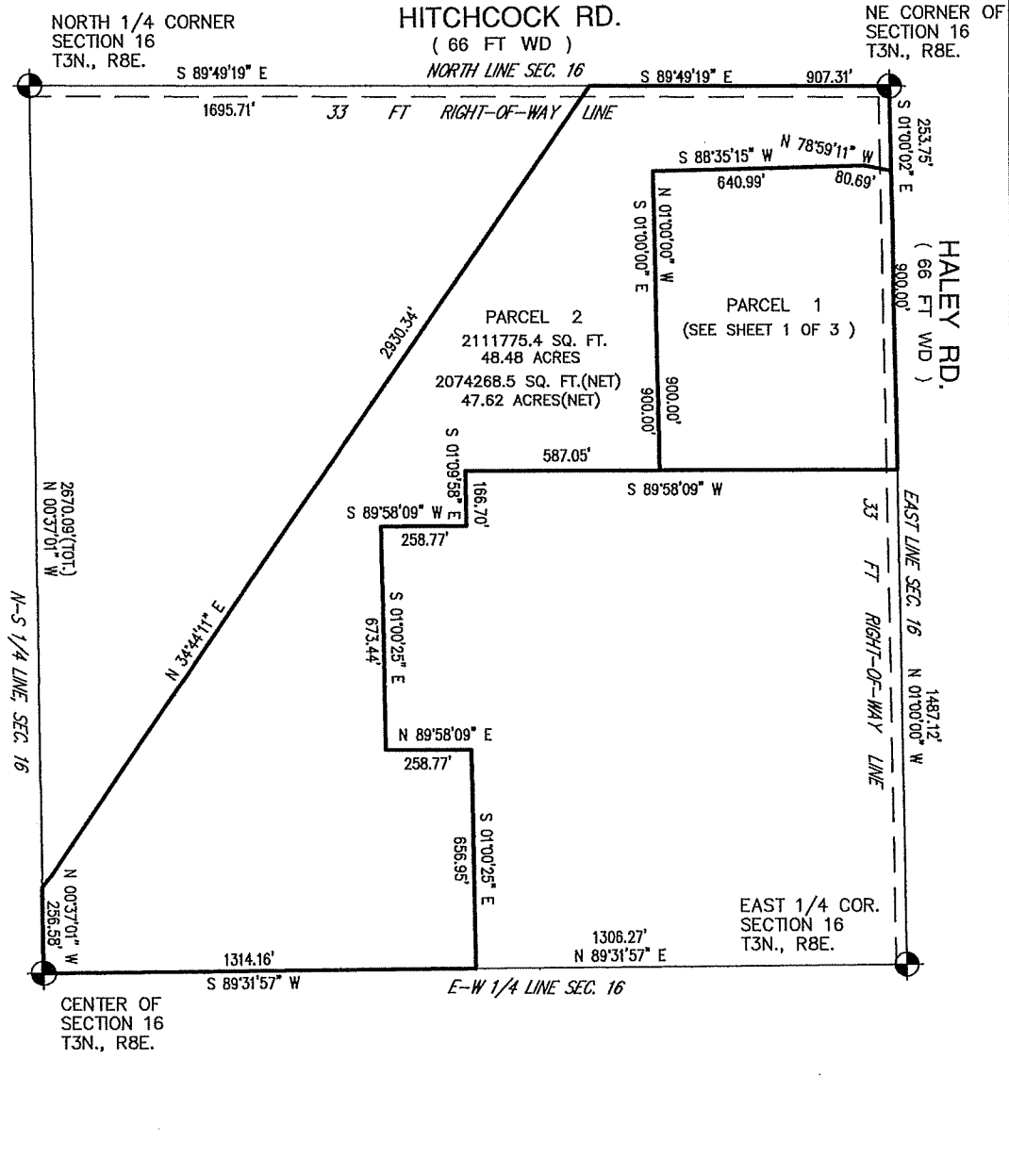
CERTIFICATE OF SURVEY

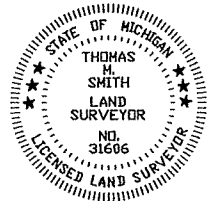


400' 0' 400' 800'



SCALE: 1" = 100'



ISSUED FOR:	REV'D BY:	ISSUED FOR:	REV'D BY:
THOMAS M. SMITH P.S. PROFESSIONAL LAND SURVEYOR			
7559 OLDE STURBRIDGE TRAIL tsmith7559@yahoo.com CLARKSTON, MICHIGAN 48348 PHONE: (248) 625-3276			
DRAWN BY TMS JOB No. 20-171	DESCRIPTION PT SEC 16, T3N., R8E WHITE LAKE TWP., MI		
DATE 06-30-20 SHEET No. 2 OF 3 SCALE 1"=400'		SURVEYOR'S SEAL	

C E R T I F I C A T E O F S U R V E Y

LEGAL DESCRIPTION-PARCEL 1:

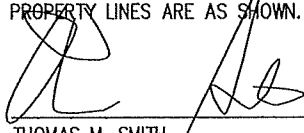
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LEGAL DESCRIPTION-PARCEL 2:

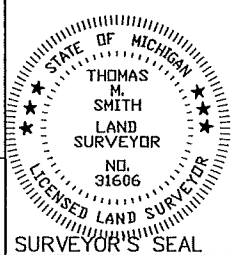
PART OF THE NORTHEAST 1/4 OF SECTION 16, T3N., R8E., WHITE LAKE TOWNSHIP, OAKLAND COUNTY, MICHIGAN, DESCRIBED AS BEGINNING AT THE NORTHEAST CORNER OF SECTION 16; THENCE S 01'00'00"E, ALONG THE EAST LINE OF SAID SECTION 16, 253.75 FEET; THENCE N 78'59'11" W, 80.69 FEET; THENCE S 88'35'15" W, 640.99 FEET; THENCE S 01'00'00" E, 900.00 FEET; THENCE S 89'58'09" W, 587.05 FEET; THENCE S 01'09'58" E, 166.70 FEET; THENCE S 89'58'09" W, 258.77 FEET; THENCE S 01'00'25" E, 673.44 FEET; THENCE N 89'58'09" E, 258.77 FEET; THENCE S 01'00'25" E, 656.95 FEET TO THE EAST-WEST 1/4 LINE OF SAID SECTION 16; THENCE S 89'31'57" W, ALONG SAID EAST-WEST 1/4 LINE, 1314.16 FEET TO THE CENTER OF SECTION 16; THENCE N 00'37'01" W, ALONG THE NORTH-SOUTH 1/4 LINE, 256.58 FEET; THENCE N 34'44'11" E, 2930.34 FEET TO THE NORTH LINE OF SAID SECTION 16 AND THE CENTERLINE OF HITCHCOCK ROAD(66 FT WD); THENCE S 89'49'19" E, ALONG SAID NORTH LINE, 907.31 FEET TO THE POINT OF BEGINNING. SUBJECT TO THE RIGHTS OF THE PUBLIC IN HITCHCOCK & HALEY ROADS(66 FT WD). PARCEL CONTAINS 48.48 ACRES OF LAND.

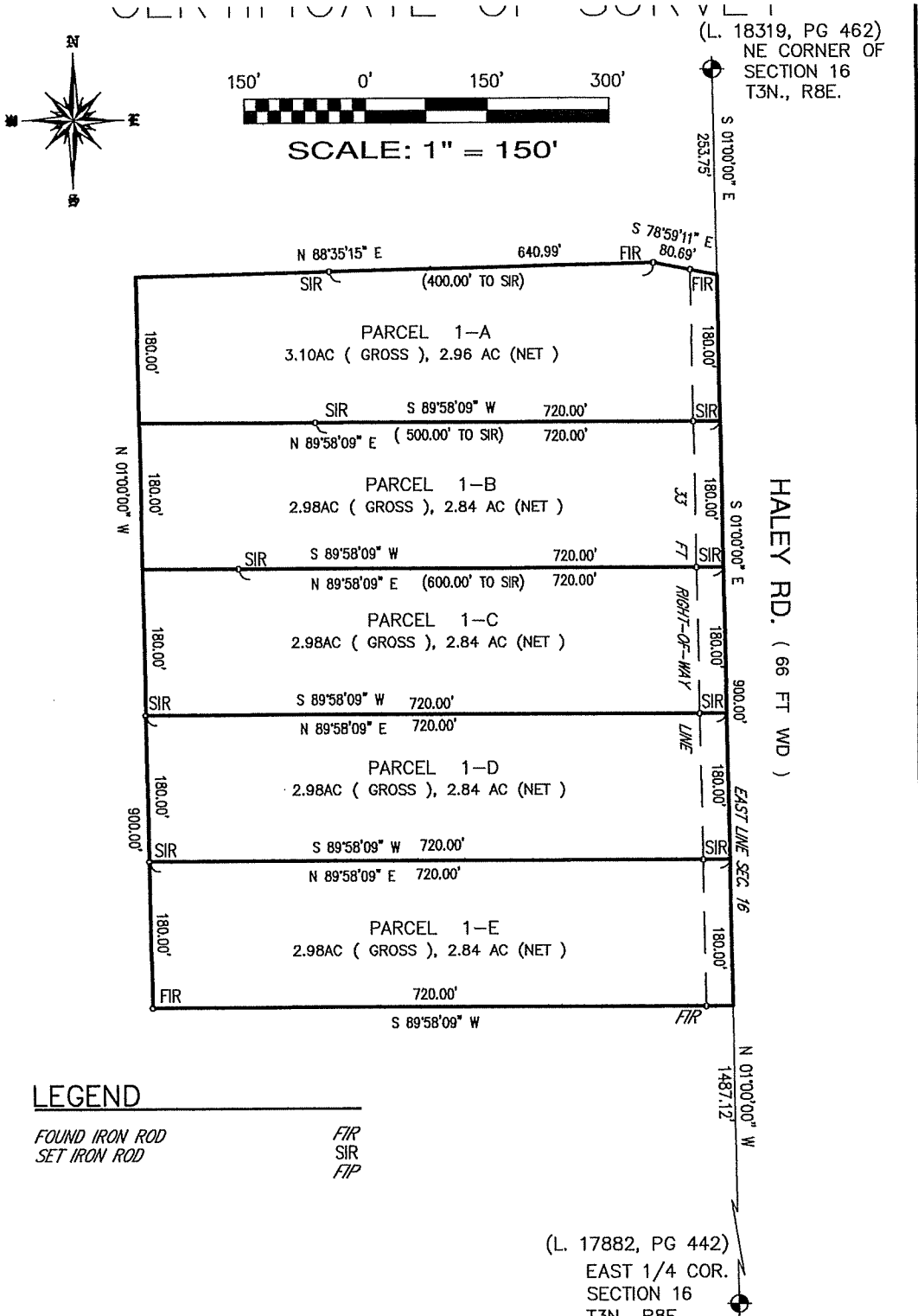
SURVEYORS CERTIFICATE:

I HEREBY CERTIFY THAT I HAVE SURVEYED THE PROPERTY DESCRIBED HEREON THAT THE PROPERTY LINES ARE AS SHOWN.



THOMAS M. SMITH
R.L.S. No. 31606

ISSUED FOR:	REV'D BY:	ISSUED FOR:	REV'D BY:
THOMAS M. SMITH P.S. PROFESSIONAL LAND SURVEYOR			
7559 OLDE STURBRIDGE TRAIL tsmith7559@yahoo.com CLARKSTON, MICHIGAN 48348 PHONE: (248) 625-3276			
DRAWN BY TMS	JOB No. 20-171	DESCRIPTION	
DATE 06-30-20 SHEET No. 3 OF 3 SCALE N/A		PT SEC 16, T3N., R8E WHITE LAKE TWP., MI	



LEGEND

FOUND IRON ROD FIR
 SET IRON ROD SIR
 FIR

ISSUED FOR:	REV'D BY:	ISSUED FOR:	REV'D BY:
THOMAS M. SMITH P.S. PROFESSIONAL LAND SURVEYOR			
7559 OLDE STURBRIDGE TRAIL tsmith7559@yahoo.com CLARKSTON, MICHIGAN 48348 PHONE: (248) 625-3276			
DRAWN BY TMS	JOB No. 20-171	DESCRIPTION	
DATE 03-13-22 SHEET No. 1 OF 2 SCALE 1"=150'		PT SEC 16, T3N., R8E WHITE LAKE TWP., MI	

C E R T I F I C A T E O F S U R V E Y

LEGAL DESCRIPTION-PARCEL 1-A:

PART OF THE NORTHEAST ¼ OF SECTION 16, T3N., R. 8E., WHITE LAKE TOWNSHIP, OAKLAND COUNTY, MICHIGAN, DESCRIBED AS BEGINNING AT A POINT LOCATED ON THE EAST LINE OF SAID SECTION 16, DISTANT S 01'00'00" E, 253.75 FEET FROM THE NORTHEAST CORNER OF SAID SECTION 16; THENCE CONTINUING S 01'00'00" E, ALONG SAID EAST LINE, 180.00 FEET; THENCE S 89°58'09" W, 720.00 FEET; THENCE N 01'00'00" W, 180.00 FEET; THENCE N 88°35'15" E, 640.99 FEET; THENCE S 78°59'11" E, 80.67 FEET TO THE POINT OF BEGINNING. SUBJECT TO THE RIGHTS OF THE PUBLIC IN THE EAST 33 FEET FOR ROAD PURPOSES. PARCEL CONTAINS 3.10 ACRES OF LAND.

LEGAL DESCRIPTION-PARCEL 1-B:

PART OF THE NORTHEAST ¼ OF SECTION 16, T3N., R. 8E., WHITE LAKE TOWNSHIP, OAKLAND COUNTY, MICHIGAN, DESCRIBED AS BEGINNING AT A POINT LOCATED ON THE EAST LINE OF SAID SECTION 16, DISTANT S 01'00'00" E, 433.75 FEET FROM THE NORTHEAST CORNER OF SAID SECTION 16; THENCE CONTINUING S 01'00'00" E, ALONG SAID EAST LINE, 180.00 FEET; THENCE S 89°58'09" W, 720.00 FEET; THENCE N 01'00'00" W, 180.00 FEET; THENCE N 89°58'09" E, 720.00 FEET TO THE POINT OF BEGINNING. SUBJECT TO THE RIGHTS OF THE PUBLIC IN THE EAST 33 FEET FOR ROAD PURPOSES. PARCEL CONTAINS 2.98 ACRES OF LAND.

LEGAL DESCRIPTION-PARCEL 1-C:

PART OF THE NORTHEAST ¼ OF SECTION 16, T3N., R. 8E., WHITE LAKE TOWNSHIP, OAKLAND COUNTY, MICHIGAN, DESCRIBED AS BEGINNING AT A POINT LOCATED ON THE EAST LINE OF SAID SECTION 16, DISTANT S 01'00'00" E, 613.75 FEET FROM THE NORTHEAST CORNER OF SAID SECTION 16; THENCE CONTINUING S 01'00'00" E, ALONG SAID EAST LINE, 180.00 FEET; THENCE S 89°58'09" W, 720.00 FEET; THENCE N 01'00'00" W, 180.00 FEET; THENCE N 89°58'09" E, 720.00 FEET TO THE POINT OF BEGINNING. SUBJECT TO THE RIGHTS OF THE PUBLIC IN THE EAST 33 FEET FOR ROAD PURPOSES. PARCEL CONTAINS 2.98 ACRES OF LAND.

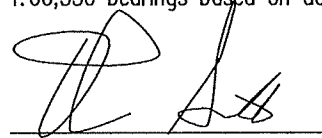
LEGAL DESCRIPTION-PARCEL 1-D:

PART OF THE NORTHEAST ¼ OF SECTION 16, T3N., R. 8E., WHITE LAKE TOWNSHIP, OAKLAND COUNTY, MICHIGAN, DESCRIBED AS BEGINNING AT A POINT LOCATED ON THE EAST LINE OF SAID SECTION 16, DISTANT S 01'00'00" E, 793.75 FEET FROM THE NORTHEAST CORNER OF SAID SECTION 16; THENCE CONTINUING S 01'00'00" E, ALONG SAID EAST LINE, 180.00 FEET; THENCE S 89°58'09" W, 720.00 FEET; THENCE N 01'00'00" W, 180.00 FEET; THENCE N 89°58'09" E, 720.00 FEET TO THE POINT OF BEGINNING. SUBJECT TO THE RIGHTS OF THE PUBLIC IN THE EAST 33 FEET FOR ROAD PURPOSES. PARCEL CONTAINS 2.98 ACRES OF LAND.

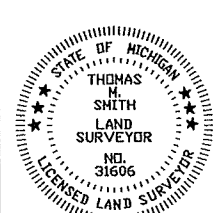
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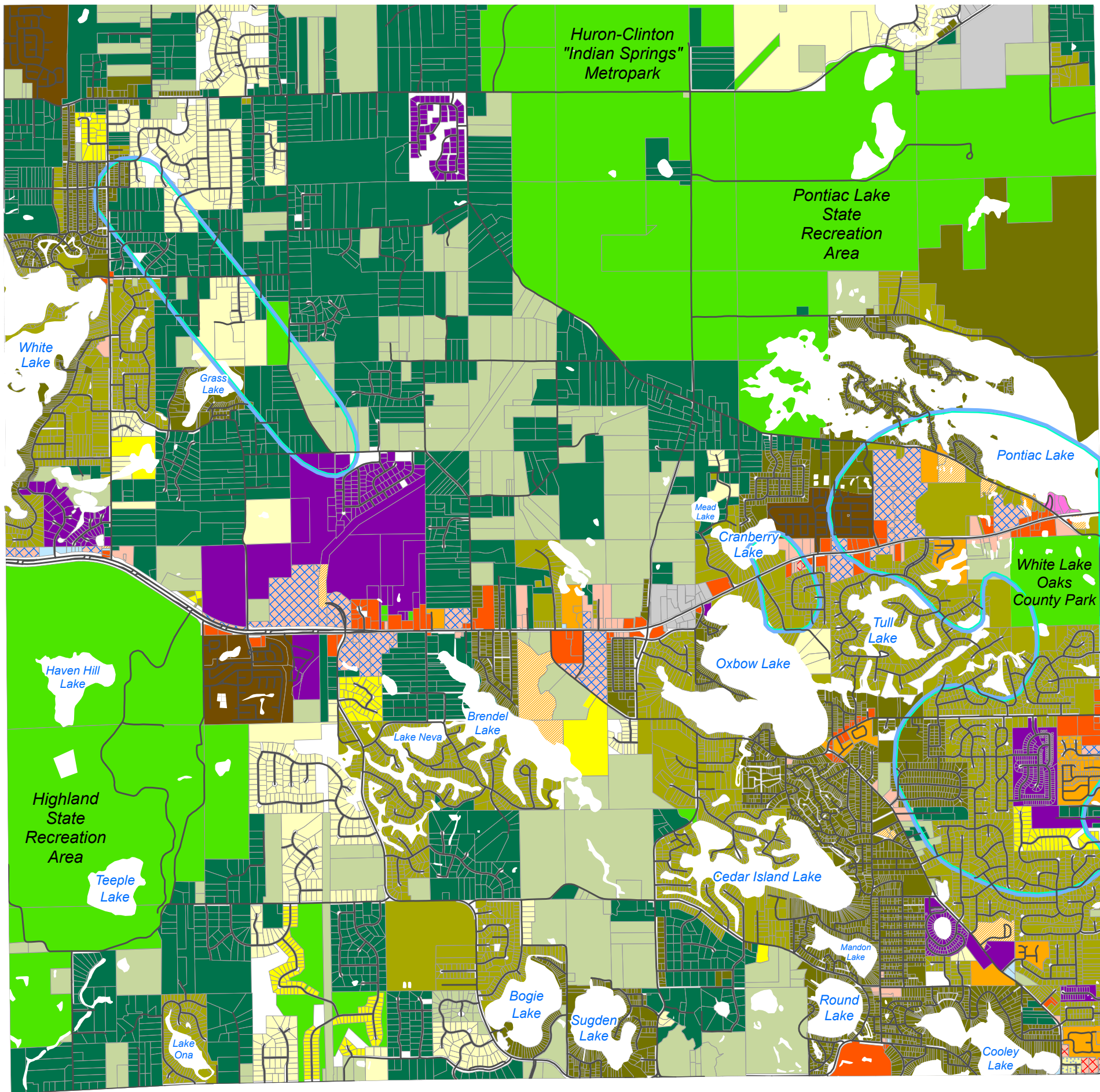
PART OF THE NORTHEAST ¼ OF SECTION 16, T3N., R. 8E., WHITE LAKE TOWNSHIP, OAKLAND COUNTY, MICHIGAN, DESCRIBED AS BEGINNING AT A POINT LOCATED ON THE EAST LINE OF SAID SECTION 16, DISTANT S 01'00'00" E, 973.75 FEET FROM THE NORTHEAST CORNER OF SAID SECTION 16; THENCE CONTINUING S 01'00'00" E, ALONG SAID EAST LINE, 180.00 FEET; THENCE S 89°58'09" W, 720.00 FEET; THENCE N 01'00'00" W, 180.00 FEET; THENCE N 89°58'09" E, 720.00 FEET TO THE POINT OF BEGINNING. SUBJECT TO THE RIGHTS OF THE PUBLIC IN THE EAST 33 FEET FOR ROAD PURPOSES. PARCEL CONTAINS 2.98 ACRES OF LAND.

WE HEREBY CERTIFY that we have surveyed the property herein described and that we have placed marker irons at the corners of the parcel or as indicated in the above sketch and that we have complied with the survey requirements of Public Act 132 of 1970, as amended. Error of closure 1:66,550 bearings based on deed of record.



THOMAS M SMITH, PS #31606

ISSUED FOR:	REV'D BY:	ISSUED FOR:	REV'D BY:
<p>THOMAS M. SMITH P.S. PROFESSIONAL LAND SURVEYOR</p> <p>7559 OLDE STURBRIDGE TRAIL tsmith7559@yahoo.com CLARKSTON, MICHIGAN 48348 PHONE: (248) 625-3276</p>			
DRAWN BY <u>TMS</u> JOB No. <u>20-171</u>		DESCRIPTION	
DATE <u>03-13-22</u> SHEET No. <u>2</u> OF <u>2</u> SCALE <u>N/A</u>		PT SEC 16, T3N., R8E WHITE LAKE TWP., MI	
		SURVEYOR'S SEAL	



- WELLHEAD PROTECTION AREAS
- Zoning 2022**
- AG AGRICULTURAL
- SF SUBURBAN FARM
- R1-A SINGLE FAMILY RESIDENTIAL
- R1-B SINGLE FAMILY RESIDENTIAL
- R1-C SINGLE FAMILY RESIDENTIAL
- R1-D SINGLE FAMILY RESIDENTIAL
- RM-1 ATTACHED SINGLE FAMILY RESIDENTIAL
- RM-2 MULTIPLE FAMILY RESIDENTIAL
- MHP MOBILE HOME PARK
- LB LOCAL BUSINESS
- GB GENERAL BUSINESS
- NB-O NEIGHBORHOOD OFFICE
- RB RESTRICTED BUSINESS
- PB PLANNED BUSINESS
- ROS RECREATION & OPEN SPACE
- LM LIGHT MANUFACTURING
- PD PLANNED DEVELOPMENT
- ROP RESEARCH OFFICE PARK
- PG PONTIAC GATEWAY
- NMU NEIGHBORHOOD MIXED USE
- TC TOWN CENTER

Zoning Map

White Lake Township Oakland County, Michigan

White Lake Township Planning Commission

Originally Adopted: April 15, 2003
 Effective: June 6, 2003
 Updated: October 10, 2022



WHITE LAKE TOWNSHIP ZONING BOARD OF APPEALS

REPORT OF THE COMMUNITY DEVELOPMENT DEPARTMENT

TO: Zoning Board of Appeals
FROM: Justin Quagliata, Staff Planner
DATE: May 16, 2024

Agenda item: 8c

Appeal Date: May 23, 2024

Applicant: Connie Barker

Address: 600 Farnsworth Road
White Lake, MI 48386

Zoning: R1-D Single Family Residential

Location: 600 Farnsworth Road
White Lake, MI 48386

Property Description

The approximately 0.25-acre (10,890 square feet) parcel identified as 600 Farnsworth Road is a corner lot with frontage on Echo Drive to the south and zoned R1-D (Single-Family Residential). The existing single-story house and garage (approximately 1,736 square feet in size) on the property utilizes a private well for potable water and the public sanitary sewer system for sanitation.

Applicant's Proposal

Connie Barker, the Applicant, is proposing to construct a single-story addition off the side and rear of the house.

Planner's Report

Currently the existing house is nonconforming to setbacks; the building is located approximately 25 feet from the Echo Drive front property line (the submitted survey does not dimension the house from the closest point to the property line). A minimum 30-foot front yard setback is required in the R1-D zoning district. The parcel is also nonconforming due to a 1,110 square foot deficiency in lot area. In the R1-D zoning district the minimum lot area requirement is 12,000 square feet.

The proposed addition is 1,368 square feet in size and located 18 feet from the rear (west) lot line, thereby encroaching 12 feet into the required 30-foot rear yard setback. Additionally, the proposed lot coverage is 30% (3,237 square feet), which is 10% (1,059 square feet) beyond the 20% maximum lot coverage allowed (2,178 square feet). Currently the Zoning Ordinance allows a maximum 30% lot coverage if a lot has sanitary sewer service and all setback requirements are met, unless a variance has been approved by the Zoning Board of Appeals (ZBA). Note a pending Zoning Ordinance amendment would allow 30% lot coverage for parcels served by public sanitary sewer in the R1-D zoning district regardless of a building complying with all setback requirements.

The Zoning Ordinance states no accessory building/structure shall be located closer than 10 feet to any principal building/structure unless it conforms to all regulations of the ordinance applicable to principal buildings/structures. With the proposed addition, the existing accessory building (133 square foot shed) would be considered part of the house (approximately five feet (not dimensioned on the site plan) between buildings), and therefore subject to the 10-foot side yard setback and 30-foot rear yard setback in the R1-D zoning district. As the shed would be located five feet from the side (north) property line and five feet from the rear (west) property line, a five-foot variance is requested to encroach into the side yard setback and a 25-foot variance is requested to encroach into the rear yard setback. If the ZBA decides to approve the request, staff recommends the shed be removed from the property as a condition of approval. Note if the ZBA does not include removal of the shed as a condition of approval, the draft approval motion on the following page would need to be modified to reference the aforementioned setback variances (five-foot side yard setback variance and 25-foot rear yard setback variance).

Article 7.28 of the Zoning Ordinance states repairs and maintenance to nonconforming structures cannot exceed fifty percent (50%) of the State Equalized Valuation (SEV) in any twelve (12) consecutive months. Further, the ordinance does not allow the cubic content of nonconforming structures to be increased. Based on the SEV of the building (\$71,720), the maximum extent of improvements cannot exceed \$35,860. The value of the proposed work is \$120,000. A variance to exceed the allowed value of improvements by 335% is requested.

The requested variances are listed in the following table.

Variance #	Ordinance Section	Subject	Standard	Requested Variance	Result
1	Article 7.23.A	Nonconforming structure	No enlargement or alteration	Enlarge and alter nonconforming house	Increased nonconformities
2	Article 7.28.A	Nonconforming structure	50% SEV (\$35,860)	335%	\$84,140 over allowed improvements
3	Article 3.1.6.E	Minimum lot area	12,000 square feet	1,110 square feet	10,890 square feet

Zoning Board of Appeals Options:

Approval: I move 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 12 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.

Denial: I move to deny the variances requested by Connie Barker for Parcel Number 12-26-453-014, identified as 600 Farnsworth Road, due to the following reason(s):

Postpone: I move to postpone the appeal of Connie Barker *to a date certain or other triggering mechanism* for Parcel Number 12-26-453-014, identified as 600 Farnsworth Road, to consider comments stated during this hearing.

Attachments:

1. Variance application dated April 23, 2024.
2. Survey dated March 11, 2024.
3. Site plan dated March 11, 2024 (revision date April 22, 2024).
4. Floor plan prepared by the Applicant.
5. Letter of denial from the Building Official dated April 19, 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
Community Development Department, 7525 Highland Road,
White Lake, Michigan, 48383
(248) 698-3300 x5

APPLICANT'S NAME: Connie Barker PHONE: 248-672-0697
ADDRESS: 600 Farnsworth
APPLICANT'S EMAIL ADDRESS: hrcmb@comcast.net
APPLICANT'S INTEREST IN PROPERTY: OWNER BUILDER OTHER: _____

ADDRESS OF AFFECTED PROPERTY: 600 Farnsworth PARCEL # 12-26-453-014
CURRENT ZONING: Residential PARCEL SIZE:

	<u>Front</u>	<u>Side</u>	<u>Rear</u>	<u>Side</u>
	<u>80</u>	<u>X 136.13</u>	<u>80</u>	<u>X 136.13</u>

STATE REQUESTED VARIANCE AND ORDINANCE SECTION: Article 3.1.6 of the White Lake Township Clear Zone Ordinance / ^{Article 5.7} Accessory Structure Variance / Requesting lot coverage of 30% vs. 20%
VALUE OF IMPROVEMENT: \$ 120,000 SEV OF EXISTING STRUCTURE: \$ 101,740

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

APPLICATION FEE: 385.00 (CALCULATED BY THE COMMUNITY DEVELOPMENT DEPARTMENT)
APPLICANT'S SIGNATURE: Connie M. Barker DATE: 4-23-24

BOUNDARY & LOCATION SURVEY

LEGAL DESCRIPTION (AS PROVIDED):

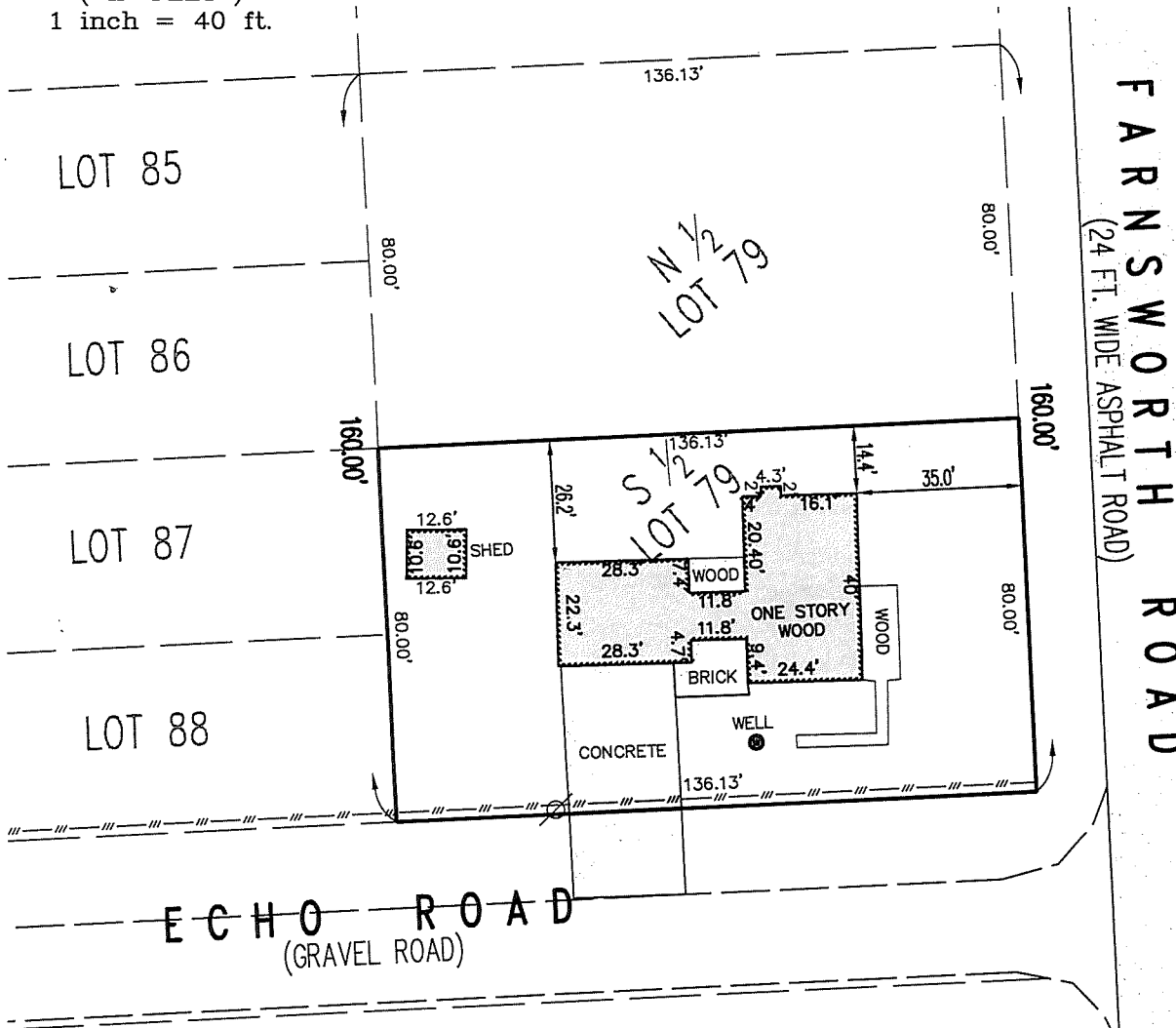
THE SOUTH 1/2 OF LOT 79 OF "CEDAR CREST SUB #2", LIBER 31 ON PAGES 30-31, WHITE LAKE TOWNSHIP, OAKLAND COUNTY, MICHIGAN.

GRAPHIC SCALE



(IN FEET)

1 inch = 40 ft.



LEGEND

- SET IRON #21585
- FOUND IRON
- ▲ SET WOOD STAKE
- ⊕ SECTION CORNER
- (M) MEASURED
- (R) RECORDED
- O.A. OVERALL DISTANCE
- R/W RIGHT OF WAY
- E-W EAST-WEST

NOTES:

1. THIS SURVEY IS SUBJECT TO ANY FACTS THAT MAY BE DISCLOSED BY A FULL AND ACCURATE TITLE SEARCH.
2. THIS SURVEY WAS PERFORMED FOR THE PURPOSE SHOWN HEREON AND DOES NOT MAKE ANY REPRESENTATION AS TO THE DELINEATION OF ANY JURISDICTIONAL LINES EXCEPT AS SHOWN OR NOTED HEREON.

JOSEPH A WYZNAJTYS, P.S. NO 21585

BOUNDARY & LOCATION SURVEY FOR:
CONNIE BARKER
 600 FARNSWORTH
 WHITE LAKE, MI 48386

SCALE: 1"=40'	JOB NO. WHITE LAKE 26 BARKER	DATE: 03.11.2024	REV:
DRN BY: MCS		APPR BY: J.A.W.	PAGE: 1 of 1



DPS SURVEYING & ENGINEERING
 Delta Professional Services, Inc.
 3189 MANN ROAD WATERFORD, MI 48329
 PHONE: 810.701.9418
 EMAIL: DPSINC14@MSN.COM

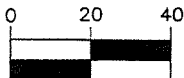


BOUNDARY & VARIANCE REQUEST

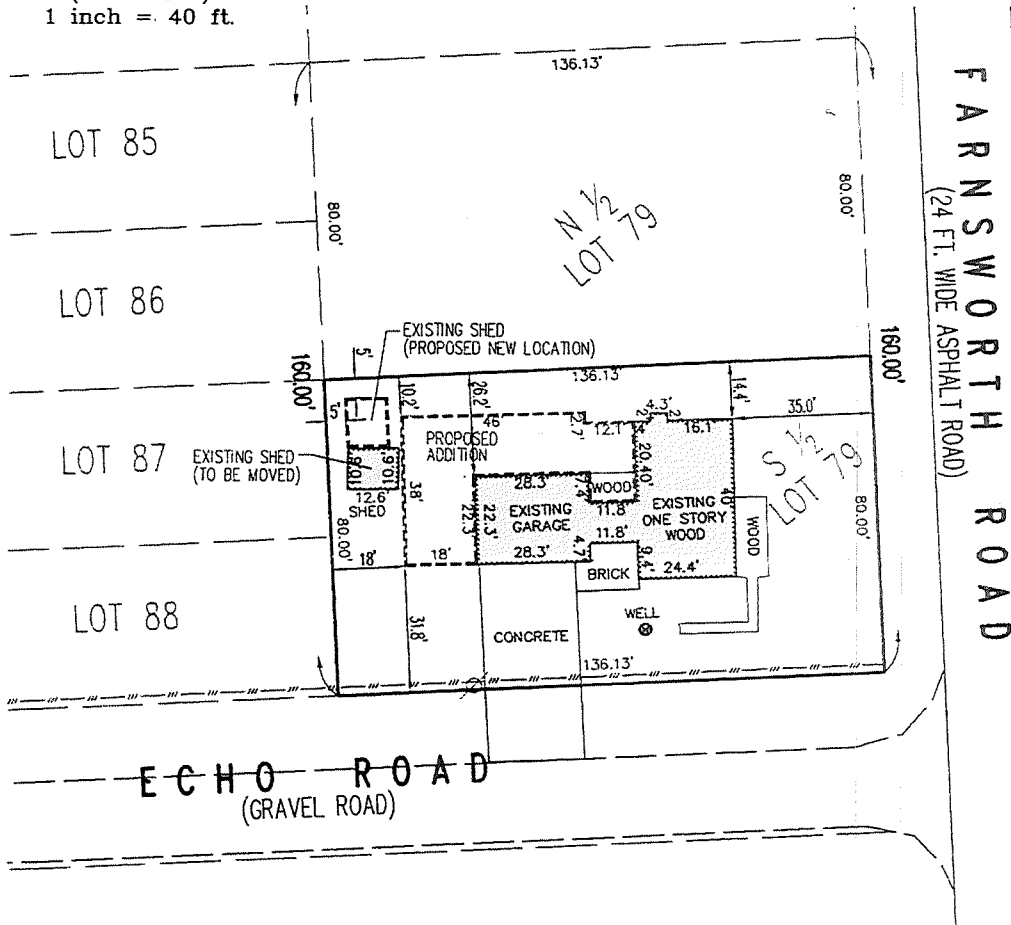
LEGAL DESCRIPTION (AS PROVIDED):

THE SOUTH 1/2 OF LOT 79 OF "CEDAR CREST SUB #2", LIBER 31 ON PAGES 30-31, WHITE LAKE TOWNSHIP, OAKLAND COUNTY, MICHIGAN.

GRAPHIC SCALE



(IN FEET)
1 inch = 40 ft.



LEGEND

- SET IRON #21585
- FOUND IRON
- ▲ SET WOOD STAKE
- ⊕ SECTION CORNER
- (M) MEASURED
- (R) RECORDED
- O.A. OVERALL DISTANCE
- R/W RIGHT OF WAY
- E-W EAST-WEST

NOTES:

1. THIS SURVEY IS SUBJECT TO ANY FACTS THAT MAY BE DISCLOSED BY A FULL AND ACCURATE TITLE SEARCH.
2. THIS SURVEY WAS PERFORMED FOR THE PURPOSE SHOWN HEREON AND DOES NOT MAKE ANY REPRESENTATION AS TO THE DELINEATION OF ANY JURISDICTIONAL LINES EXCEPT AS SHOWN OR NOTED HEREON.
3. EXISTING LOT AREA = 10890.39 SQ. FT.
EXISTING DWELLING/GARAGE AREA = 1736.05 SQ. FT.
EXISTING SHED AREA = 132.73 SQ. FT.
EXISTING LOT BLDG COVERAGE = 17%
PROPOSED ADDITION = 1368.22 SQ. FT.
PROPOSED LOT BLDG. COVERAGE = 30%
4. ABOVE CALCULATED AREAS ARE APPROXIMATE, AND BASED UPON INFORMATION SUPPLIED BY CLIENT

JOSEPH A WIZYNAJTYS, P.S. NO 21585

BOUNDARY & VARIANCE REQUEST FOR:
CONNIE BARKER
600 FARNSWORTH
WHITE LAKE, MI 48386

SCALE: 1"=40'	JOB NO. WHITE LAKE 26 BARKER	DATE: 03.11.2024	REV: 04.22.2024
DRN BY: MCS		APPR BY: J.A.W.	PAGE: 1 of 1



DPS SURVEYING & ENGINEERING
Delta Professional Services, Inc.
3189 MANN ROAD WATERFORD, MI 48329
PHONE: 810.701.9418
EMAIL: DPSINC14@MSN.COM



HOUSE

EXISTING

12'

FLOOR

PATIO

EXISTING

28'

EXISTING GARAGE

22'

LIV
AR

KIT

REF

11' x

14' x 9'

18' x 10'

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

April 19, 2024

Connie Barker
 600 Farnsworth Rd
 White Lake, MI 48386

RE: Proposed Residential Addition

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

Article 3.1.6 of the White Lake Township Clear Zoning Ordinance: Requires a minimum rear yard setback of 30 ft, minimum lot area of 12,000 sq ft, and maximum lot coverage of 20%.

The existing lot and structure are legal non-conforming with a total lot area of 10,890 sq ft. The submitted plot overview (drawing #3) indicates a proposed rear yard setback of 19 ft. The lot will be served by municipal sewer; however, it is non-conforming and will have a lot coverage of approximately 28.5%. Additionally, the existing shed does not have the required 10 ft setback off of the principal structure to allow the 5 ft rear yard setback as required by Article 5.7 of the White Lake Township Clear Zoning 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 May 24th Zoning Board of Appeals (ZBA) meeting, complete application must be submitted to the White Lake Township Planning Department no later than April 25th at 4:30 PM. **The certified boundary and location survey must show all proposed structures, proposed setbacks, and total lot coverage.** The Planning Department can be reached at (248)698-3300, ext. 5

Sincerely,

Nick Spencer, Building Official
 White Lake Township

WHITE LAKE TOWNSHIP ZONING BOARD OF APPEALS

REPORT OF THE COMMUNITY DEVELOPMENT DEPARTMENT

TO: Zoning Board of Appeals
FROM: Justin Quagliata, Staff Planner
DATE: May 16, 2024

Agenda item: 8d

Appeal Date: May 23, 2024

Applicant: Gateway Commons, LLC

Address: 600 N. Old Woodward, Suite 100
Birmingham, MI 48009

Zoning: GB General Business

Location: 6340 Highland Road and 6350 Highland Road
White Lake, MI 48386

Property Description

The subject property, 6350 Highland Road (Parcel Number 12-20-426-003) and 6340 Highland Road (Parcel Number 12-20-402-003), are located at the southwest corner Bogie Lake Road and Highland Road and zoned GB (General Business).

Applicant's Proposal

Gateway Commons, LLC, the Applicant, is proposing to construct a single-story four-tenant retail/commercial building totaling 8,620 square feet in size. The easterly unit of the building is identified as a coffee shop and contains a drive-thru window.

Planner's Report

The variances are being processed concurrently with the site plan review application. The staff report for the preliminary site plan and special land uses (attached) should be referenced for a more complete overview of the project. At its April 16, 2024 meeting the Township Board approved the preliminary site plan, with conditions, including the Applicant receiving approval from the Zoning Board of Appeals (ZBA).

Variance #1: The minimum distance between a proposed driveway and the nearest intersection shall not be less than 455 feet when the speed limit is greater than or equal to 50 miles per hour (mph). Along the Highland Road frontage the speed limit is 55 mph. The proposed distance of the Highland Road driveway to the Bogie Lake Road intersection is 386.9 feet. Therefore, a 68.1-foot variance is required.

Variance #2: For drive-thrus, a front yard setback of at least 60 feet is required. The coffee shop drive-thru tenant space is only 50 feet from the Bogie Lake Road right-of-way. However, the drive-thru window is over 60 feet from the Bogie Lake Road right-of-way. Therefore, a 10-foot variance is required.

Variance #3: For drive-thrus, entrance and exit drives shall be at least 200 feet from any residential zoning district. The subject property is adjacent to the ITC corridor which is zoned SF (Suburban Farms). The proposed Highland Road driveway is 147 feet from the west adjacent parcel zoned SF. Therefore, a 53-foot variance is required.

Variance #4: 77 parking spaces are required to serve the development and 61 parking spaces are proposed. Therefore, a 16-space variance is required. The Zoning Board of Appeals should note per the proposed Zoning Ordinance amendment to the off-street parking requirements, a maximum of 77 parking spaces would be allowed on the site and a minimum of 58 parking spaces would be required. Therefore, with 61 parking spaces proposed, a parking space variance would not be required.

The requested variances are listed in the following table.

Variance #	Ordinance Section	Subject	Standard	Requested Variance	Result
1	Article 6.4.C.iii	Minimum driveway spacing	455 feet (relative to intersections)	68.1 feet	386.9 feet
2	Article 4.17.A	Front yard setback	60 feet (for drive-thrus)	10 feet	50 feet
3	Article 4.17.B	Entrance and exit drives setback	200 feet (from residential districts)	53 feet	147 feet
4	Article 5.11.M	Minimum requirements for off-street parking	77 spaces (to serve this development)	16 spaces	61 spaces

Zoning Board of Appeals Options:

Approval: I move 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).

Denial: I move to deny the variances requested by Gateway Commons, LLC for 6350 Highland Road (Parcel Number 12-20-426-003) and 6340 Highland Road (Parcel Number 12-20-402-003), due to the following reason(s):

Postpone: I move to postpone the appeal of Gateway Commons, LLC *to a date certain or other triggering mechanism* for 6350 Highland Road (Parcel Number 12-20-426-003) and 6340 Highland Road (Parcel Number 12-20-402-003), to consider comments stated during this hearing.

Attachments:

1. Variance application dated April 21, 2024.
2. Applicant's written statement.
3. Preliminary site plan staff report dated March 28, 2024.
4. Existing conditions and demolition plan prepared by Boss Engineering dated January 5, 2023 (revision date February 28, 2024).
5. Preliminary site plan prepared by Boss Engineering dated January 5, 2023 (revision date February 28, 2024).
6. Preliminary floor plan prepared by Detroit Architectural Group (revision date April 12, 2024).
7. Preliminary elevations prepared by Detroit Architectural Group (revision date April 12, 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

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

APPLICANT'S NAME: Gateway Crossing LLC PHONE: 248-433-7000

ADDRESS: 600 N. Old Woodward, Suite 101, Birmingham, MI 48009

APPLICANT'S EMAIL ADDRESS: brian@najorcompanies.com

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

ADDRESS OF AFFECTED PROPERTY: 6340 & 6350 Highland Road PARCEL # 12 - ^{20-402-003 & -20-426-003}

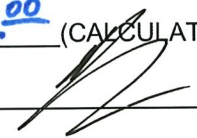
CURRENT ZONING: General Business PARCEL SIZE: 5.36 ac

STATE REQUESTED VARIANCE AND ORDINANCE SECTION: Variances sought for Sections
6.4.C.iii 4.17.A 4.17.B 5.11.M

VALUE OF IMPROVEMENT: \$ _____ SEV OF EXISITING STRUCTURE: \$ N/A

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

APPLICATION FEE: \$440.00 (CALCULATED BY THE COMMUNITY DEVELOPMENT DEPARTMENT)

APPLICANT'S SIGNATURE:  DATE: 4/21/24

Gateway Crossing Variances:

- (1) Section 6.4.C.iii – Highland Road driveway required to be 455 ft from Bogie Lake Road intersection.
 - a. Highland Road Driveway is 386.9 feet from Bogie Lake Road Intersection. Thus requiring a 69' variance.
 - b. Location of the drive was coordinated with MDOT. The elevation change on the site drops significantly as you head westerly towards the ITC corridor. Constructing a drive much further to the west would be infeasible due to the elevation change occurring. Shifting the drive further to the west would also increase the variance needed for separation of a Highland Road drive approach to a residentially zoned parcel. See item (3) below.
- (2) Section 4.17.A – A front yard setback of at least sixty (60) feet shall be required.
 - a. The rear corner of the building is setback 50' and drive-thru window is setback 69' from Bogie Lake Road ROW.
 - b. This section of the Ordinance is in the Special Use section for "Drive-in or Drive-thru window services. So we believe the intent of the ordinance is to ensure that these facilities that provide a drive thru service have the drive thru window additional setback from the road. In this case, the drive thru window is setback 69' from Bogie Lake Road right of way, which we believe meets the intent of the Ordinance. The horizontal layout of Bogie Lake Road as it runs southerly, cuts westerly towards the subject parcel and thus creates difficult parcel angles. A majority of the building is setback beyond the 60' with the exception of where Bogie Lake Road cuts back towards the parcel. This northeastern portion of the parcel is difficult to develop due to the intersection angle.
- (3) Section 4.17.B – Entrance and exit drives shall be at leasttwo-hundred (200) feet from any residential district.
 - a. Subject parcel is immediately adjacent to ITC corridor which is zoned SF zoning. The Highland Road drive approach is 147' from the west adjacent parcel line zoned SF. A 53' variance is being sought.
 - b. The Highland Road frontage of the subject parcel is 480' and thus non capable of being compliant with both the 200' setback from a residentially zoned parcel nor the 455' setback from the Bogie Lake Road intersection. The location of the drive was determined through coordination with MDOT as the best location along the frontage. This location splits the differences between the two Variances being sought for the Highland Road drive approach location. Additionally, the ITC corridor, although zoned SF, does not contain a residential use on and isn't capable of being developed with a residential use given its current ITC use.
- (4) Section 5.11.M – 77 parking spaces required
 - a. 61 parking spaces provided. A variance of 16 spaces is being sought.
 - b. The coffee shop use is required, by Ordinance, to provide 34 parking spaces and 8 stacking spaces for the drive thru. Coffee users typically don't need that many standard parking as much of their business operations utilize the drive thru window service. Additional stacking spaces (16 total, 8 above Ordinance requirements) have been provided for the coffee use. This provision should be sought as a benefit to the

development and relief from the site parking requirements. Additionally, although the site is 5.36 acres in area, a majority of the site is undevelopable due to existing wetlands, natural features setback, inaccessible land, or located within property setbacks. Approximately 2.3 acres is developable area. This paired with the required locations of the site access drives really governed much of the site layout. Additionally, the angle of the Bogie Lake Road/Highland Road intersection renders portions of the property difficult to develop with a traditional parking layout.

- c. Note: The parking ordinance is in process of being amended. If adopted, the site would be compliant and no variance would be needed.

WHITE LAKE TOWNSHIP PLANNING COMMISSION

REPORT OF THE COMMUNITY DEVELOPMENT DEPARTMENT

TO: Planning Commission

FROM: Sean O’Neil, AICP, Community Development Director
Justin Quagliata, Staff Planner

DATE: March 28, 2024

RE: Gateway Crossing
Preliminary Site Plan and Special Land Uses – Review #4

Staff reviewed the revised site plan prepared by Boss Engineering (revision date January 12, 2024). The following comments from the first review dated January 23, 2023, second review dated September 26, 2023, and third review dated February 8, 2024 are listed below. Responses to those comments are provided in **(green)**.

Najor Companies (Brian Najor) has requested preliminary site plan and special land use (2) approval to construct a commercial/retail center on Parcel Number 12-20-426-003 and Parcel Number 12-20-402-003, located at the southwest corner Bogie Lake Road and Highland Road. **The two legal descriptions on Sheet 1 conflict with the combined legal description on Sheet 2 and the size of the parcels listed in the Site Data Table on Sheet 3. Revise for consistency. The lot width listed in the Site Data table is also inconsistent with the combined legal description on Sheet 2 and the dimension labeled on the drawing. Revise for consistency. (Comments addressed. Acreage is now consistent between plan sheets and the Site Data Table).** Currently the parcels are zoned GB (General Business). Combined the parcels comprising the subject site are approximately 5.836 acres in size (to be confirmed based on previous comments). **If the project proceeds to construction, an application to combine the parcels shall be submitted to the Assessing Department prior to issuance of a building permit.** **final site plan submission (comment remains as a notation).** The design engineer stated the Applicant acknowledges this requirement.

The Applicant is proposing to construct ~~two~~ **one** single-story buildings totaling ~~12,380~~ **8,573** **8,620** square feet in size. **(Total area of the building and each tenant space size listed on Sheet 3 are all inconsistent with the preliminary floor plan. Revise for consistency).** **(Comment addressed. The total area of the building and each tenant space size listed on Sheet 4 are now consistent with the floor plan).** ~~**The size of the retail and coffee shop building labeled on the drawing (8,320 square feet) is two square feet less than the size of the building listed in the Site Data table on Sheet 3 (8,322 square feet). Revise for consistency. (Comment addressed. The Site Data Table now shows the correct total area for the building and it matches what is shown on the site plan).**~~ Special land use approval is requested as ~~two~~ **one** drive-thru windows are **is** proposed; the easterly unit of the east building is identified as a coffee shop ~~and the westerly building is identified as a Culver's drive-thru restaurant.~~ Special land use approval is also requested to allow outdoor dining at the retail and coffee shop building ~~and Culver's.~~ **(The Culver's building is no longer being proposed on this site).**

Based on the nature of the proposed project, the Applicant shall state whether the development would be a commercial condominium project or consist of another ownership arrangement. **(Comment addressed. A note about the building having a single owner and leasable units as well as a west parcel for sale is now noted in the Site Data Table. However, it appears the proposed west parcel would share a driveway and drive aisle(s) with the east parcel; the appropriate easement agreements would need to be submitted for review and approval prior to scheduling a pre-construction meeting).**

Master Plan

The Future Land Use Map from the Master Plan designates the subject site in the Planned Business category. All development in Planned Business is required to adhere to strict access management principles in order to minimize traffic conflict and maximize safety throughout the M-59 corridor. Connections to and segments of the Township community-wide pathway system are required as an integral part of all Planned Business development.

The Future Land Use Map from the draft 2024 Master Plan designates the subject site in the Commercial Corridor category, which is intended to provide regional goods and services (such as large box-stores and drive-thrus) to residents and non-residents.

FUTURE LAND USE MAP



Zoning

Both parcels comprising the subject site are located in the GB (General Business) zoning district, which requires a minimum of 200 feet of lot width and one acre of lot area. Both parcels meet the minimum standards for both lot area and lot width of the GB zoning district. Retail commercial uses are a permitted principal use in the GB zoning district. Beverage and restaurant establishments with drive-thru window service are a special land use in the GB zoning district.

ZONING MAP



Physical Features

There appear to be EGLE (Michigan Department of Environment, Great Lakes, and Energy) regulated wetlands on the site. However, a wetland delineation was not provided. **A delineation prepared by a wetland specialist/ecologist must be provided by the Applicant at preliminary site plan.** (Comment outstanding. Provide a copy of a delineation report). (Comment addressed. A delineation report dated November 3, 2023 has been provided). EGLE has regulatory authority regarding the wetland boundary location(s) and jurisdictional status of wetlands on this site. **Prior to final site plan, wetland boundary verification shall be completed by EGLE. Note the proposed layout may require revision in response to the EGLE review. Based on the submitted plans, the Applicant proposes to grade within the Natural Features Setback. Grading activities should not occur in the Natural Features Setback as the intent is to, as much as possible, leave said area in its natural state. If grading is permitted to occur in the Natural Features Setback, the area must be restored to its natural, undisturbed state. A Natural Features Setback restoration plan is required and must be submitted at final site plan.** (Comments remain as notations. These requirements were acknowledged by the Applicant’s engineer in the response letter provided to the first and second review).

The following should be conditions of any approval:

- Prior to any construction or grading on the site, the Applicant shall install silt fencing at the upland edge of Natural Features Setbacks / limits of grading. The silt fencing shall be removed after construction once the area is stabilized and vegetation has been established.
- Wetland limits shall be clearly identified with permanent markers. The size, number, location, and language on the markers shall be subject to the approval of the Community Development Director.

Access

The site fronts on Highland Road and Bogie Lake Road. Highland Road (state trunkline) along the subject site is a four-lane divided highway designated as a Principal Arterial on the Township Thoroughfare Plan. Development of the subject site requires the installation of an eight-foot-wide sidewalk along the Highland Road property frontage (shown on plans; **the existing paved shoulder shall be removed and converted to greenbelt.**) (Comment addressed. The existing paved shoulder along Highland Road will be removed and converted to greenbelt except for the area being used for the right-turn taper). Along the east side of the property the northern portion of Bogie Lake Road is a four-lane road (three lanes going north (two right-turn lanes to eastbound Highland Road, one northbound lane through Highland Road), and one lane going south). There is also an existing right-turn taper at the Bogie Lake Road driveway approach. Bogie Lake Road along the southern portion of the property is a two-lane road.

While the zoning ordinance requires site plans incorporate (where feasible and appropriate) cross-access with neighboring sites, the property to the west is owned by ITC. There is no opportunity for vehicle access through the ITC corridor, so constructing a frontage road to the west is not required.

The zoning ordinance requires a minimum six-foot-wide sidewalk placed one-foot from the inside edge of the right-of-way along the Bogie Lake Road property frontage. The plan shows eight-foot-wide sidewalk and boardwalk (195 linear feet of boardwalk) along Bogie Lake Road property frontage. **Direct pedestrian access from the frontage sidewalks to the buildings should be provided. (Comment addressed. Direct pedestrian access is now provided from the sidewalks along Highland Road and Bogie Lake Road). Note it appears the Applicant is proposing to construct offsite sidewalk to the west along Highland Road (whether or not the offsite sidewalk is in the road right-of-way shall be clarified on the plan). Easements would be required from the adjacent property owner to construct offsite sidewalk (if not in the right-of-way). (Comment addressed. Per the design engineer, the sidewalk is located in the right-of-way). The boardwalk details on Sheet 9 conflict with the boardwalk width shown on Sheet 3. Revise for consistency. (Comment addressed. The boardwalk width on Sheet 9 is now shown to be eight-foot-wide). Additionally, some of the sidewalk (boardwalk) along Bogie Lake Road is proposed outside of the right-of-way; the sidewalk (boardwalk) must be relocated inside the road right-of-way or an easement be provided. Right-of-way/easement widths for public walkways when not adjacent to or a part of street rights-of-way must be at least 15 feet and dedicated to the use of the public. Only a 10-foot-wide sidewalk easement is proposed. Revise accordingly. (Comment addressed. The sidewalk easement has been changed to be 15 feet as required instead of the 10 feet previously proposed). Furthermore, sidewalk shall be constructed to the south property line, or a variance is required from the Zoning Board of Appeals. (Comment addressed. A portion of the sidewalk is now proposed to the south property line (south side of the church driveway).**

DLZ reviewed the submitted traffic impact study (TIS) and stated the methodology is in line with standard practices and the findings are supported by the data provided. Additionally, DLZ was in agreement with the conclusions and recommended treatments.

The development would be accessed from a driveway on Highland Road and Bogie Lake Road. **Both driveways—The Highland Road driveway would require variances from the zoning ordinance access management standards.** As a preface to the following comments regarding access management, the Planning Commission should note the zoning ordinance states direct access drives should generally be minimized in number and maximized in separation. Reasonable access is not necessarily the same as direct access. The number of driveways permitted for a site shall be the minimum number necessary to provide safe and efficient access for regular traffic and emergency vehicles.

The minimum distance between a proposed driveway and the nearest intersection shall not be less than 455 feet when the speed limit is greater than or equal to 50 miles per hour (mph). Along the Highland Road frontage the speed limit is 55 mph. The proposed distance of the Highland Road driveway to the Bogie Lake Road intersection is 300 feet. **Therefore, a 155-foot variance is required from the Zoning Board of Appeals. (Comment outstanding; however, the Applicant intends to seek a variance from the Zoning Board of Appeals).** The minimum distance between a proposed driveway and the nearest intersection shall not be less than 350 feet when the speed limit is 45 miles per hour (mph). Along the Bogie Lake Road frontage, the speed limit is 45 mph. **As the driveway is not 350 feet from the intersection, a variance is required from the Zoning Board of Appeals. (Comment rescinded. See response to following comment). Note the dimension of the centerline of the Bogie Lake Road driveway to Highland Road on the site plan. (Comment addressed. A dimension (350.6 feet) has been added to the plan).**

Utilities

The project would be served by both the municipal water and sanitary sewer systems. The Township Engineering Consultant will perform an analysis of stormwater, location and capacity of utilities, and grading to ensure compliance with all applicable ordinances as well as the Township Engineering Design Standards.

Staff Analysis – Preliminary Site Plan

The development standards for the GB district require 50-foot front yard setbacks, 20-foot rear yard setbacks, and 15-foot side yard setbacks. **The proposed front (east) setback listed in the Site Data table on Sheet 3 is incorrect. Revise accordingly. (Comment addressed. The proposed east setback in the Site Data Table is now shown correctly). General Note 2 on Sheet 7 identifies the west setback as a front yard and not a side yard. Revise accordingly. (Comment addressed. The note has been revised).** The maximum building height allowed is 35 feet or two stories, whichever is less. Article 4, Section 17 of the zoning ordinance provides additional standards for drive-in or drive-thru window service, including a front yard setback of 60 feet (see Page 8 of this report regarding this requirement).

Building Architecture and Design

Generally, exterior building materials should be comprised primarily of high quality, durable, low maintenance material, such as masonry, stone, brick, glass, or equivalent materials. Buildings should be completed on all sides with acceptable materials. ~~The proposed building materials for the Culver's are a mix of stone (veneer) and EFIS (exterior insulation finishing system). Canvas awnings are also proposed.~~ The proposed building materials for the multi-tenant building are a mix of brick (veneer), fiber cement siding, and ~~hardie~~ paneling. Metal canopies are also proposed.

While building materials will be reviewed in detail at final site plan, the Applicant should be aware of the Township’s architectural character requirements. EFIS, fiber cement siding, and hardie panel are not considered high-quality materials. **Seventy (70) percent of all elevations of both buildings should be covered with some combination of brick or stone or glass.** (Comment outstanding. The building is unattractive in appearance, and the fiber cement paneling and siding are substandard materials. All sides of the building will be visible from adjacent roads and must be comprised of high-quality materials. Also, a brown/tan/taupe color scheme should be utilized on the building as opposed to dark grey, light grey, and black). (Comment addressed. The building materials have been revised to include almost all brick veneer with a light, medium, and dark brown color scheme). **Furthermore, all buildings shall have windows at eye level covering at least 30 percent of the front facade (north and east elevations of the buildings).** Calculations for window coverage on the front facades shall be provided on the elevations at final site plan. (Comment remains as a notation. This requirement was acknowledged by the Applicant’s engineer in the response letter provided to the first review). While front facade window coverage calculations are not provided at this time, it appears the north elevation meets the 30% requirement. However, the east elevation does not meet the 30% requirement; if the east elevation is not updated to provide the required window coverage, a variance must be requested from the Zoning Board of Appeals. (Glass coverage calculations have been added to the preliminary elevations. The required window coverage is provided on the north elevation, but a variance is required on the east elevation as only 9.27% window coverage is proposed. The required variance has been added to the variance list on Sheet 4 of the plan set).

A sample board of building materials to be displayed at the Planning Commission meeting and elevations in color are required by the zoning ordinance and must be submitted at final site plan. Additionally, the address (street number) locations shall be shown on the building. Six-inch-tall numbers visible from the street shall be required. The address locations are subject to approval of the Fire Marshal. (Comments remain as notations. These requirements were acknowledged by the Applicant’s engineer in the response letter provided to the first review).

Outdoor patios are located on the site. **Details for the items to be located on the patios and details for the patios’ surfacing shall be provided at final site plan.** (Comment remains as a notation. This requirement was acknowledged by the Applicant’s engineer in the response letter provided to the first review). **An ornamental paving treatment should be required by the Planning Commission.** The treatment should be something either decorative or something to provide aesthetic quality to the patios. Potential options for ornamental paving treatments include, but are not limited to, CMU pavers; brick; stone; or stamped, stained, and sealed concrete. Accessory items such as railings, benches, trash receptacles, outdoor seating (such as tables and chairs), or sidewalk planters located in the vicinity of sidewalks and/or outdoor seating areas are required to be of commercial quality and complement the building design and style. **These details shall be provided at final site plan.** (Comment remains as a notation. This requirement was acknowledged by the Applicant’s engineer in the response letter provided to the first review).

Landscaping and Screening

Landscaping must comply with the provisions of the zoning ordinance and should be designed to preserve existing significant natural features and to buffer service areas, parking lots, and dumpsters. A mix of evergreen and deciduous plants and trees are preferred, along with seasonal accent plantings. A landscape plan will be provided and reviewed in detail during final site plan if the preliminary site plan is approved. Following are initial comments relative to a landscape plan:

- **A snow storage plan was not provided. Information on method of snow storage shall be provided at final site plan. Winter maintenance of parking lot landscape islands (insufficient parking lot landscape islands for plant material – variance required from the Zoning Board of Appeals (add to list of variances to be requested on Sheet 4 or demonstrate the required amount of parking lot landscaping can be provided (this can be demonstrated without having a landscape architect prepare a landscape plan)) (Comment addressed at this level of review. Proposed areas for parking lot landscaping have been shown on Sheet 4. Note not all of the proposed areas identified will count as parking lot landscaping; this will be reviewed further when a landscape plan is submitted at final site plan)) shall be required where heavy applications of salt and de-icing products occur through the use of salt tarps which minimize soil absorption and ultimately reduce plant disorders. (Comments remain as notations. The response letter provided to the first review states a snow storage plan will be provided at final site plan along with a landscape plan).**

Trash Receptacle Screening

The zoning ordinance requires dumpsters to be surrounded by a six-foot-tall wall on three sides and an obscuring wood gate on a steel frame on the fourth side, located on a six-inch concrete pad extending 10 feet in front of the gate, with six-inch concrete-filled steel bollards to protect the rear wall and gates. Furthermore, the zoning ordinance states dumpsters and trash storage enclosures shall be constructed of the same decorative masonry materials as the buildings to which they are accessory. Brickform concrete (simulated brick pattern) or stained, decorative CMU block are not permitted where the principal building contains masonry. Plain CMU block is also prohibited. A dumpster enclosure detail was provided on Sheet PP-1. **(The aforementioned sheet has been renumbered as PP-3 with the second submittal).** **(The aforementioned sheet has been renumbered as PP-4 with the third submittal).** **(The aforementioned sheet has been renumbered as PP-5 with the third submittal).**

At the time of trash pick-up, the location of the dumpster enclosure could cause conflict with traffic entering and exiting the site. The dumpster enclosure location should be evaluated when considering circulation around the site. (Comment addressed. One dumpster enclosure has been eliminated and the other dumpster enclosure location has been revised to reduce conflict with traffic).

Parking

The parking calculations in the Site Data table on Sheet 3 are incorrect and shall be revised. (Comment outstanding. When units or measurements determining number of required parking spaces result in fractional space, any fraction up to and including one-half shall be disregarded and fractions over one-half shall require one parking space). (Comment addressed. Required parking calculations have been updated. See following comments). ~~54 parking spaces are required for Culver's, not 46. 31 parking spaces are required for the coffee shop, not 19.~~ The fast food standard shall be applied to the coffee shop. (Comment outstanding. Revise accordingly). (Comment addressed. Required parking calculations have been updated. See following comments). ~~Retail tenant space #1 requires 13 12 parking spaces, not 11 13. Retail tenant spaces #2 and #3 each require nine parking spaces, not seven. Additionally, gross floor area is utilized for fast food and retail uses, not useable floor area. It is unacceptable to remove 15 percent of the floor area from the parking calculations.~~ (Comment addressed). ~~116 65-77 parking spaces and 8 stacking spaces are required to serve the development and 90 48-61 parking spaces and 16 stacking spaces are proposed; therefore, a 261716-parking space variance is required from the Zoning Board of Appeals.~~ (Revise parking variance note on Sheet 3 accordingly). (Comment addressed. The applicable note on Sheet 4 has been updated).

The Planning Commission should note per the proposed zoning ordinance amendment to the off-street parking requirements, a maximum of 77 parking spaces would be allowed on the site and a minimum of 58 parking spaces would be required. Therefore, with 61 parking spaces proposed, a parking space variance would not be required.

Staff recommends the Planning Commission require the six easterly parking spaces be removed. Traffic circulation at the northeast corner of the site will make these spaces dangerous and difficult to access; vehicles attempting to access these spaces could cause traffic conflicts with vehicles exiting the drive-thru and bypass lane. Additionally, staff suggests the three northwesterly parking spaces be removed. Traffic circulation at the northwest corner of the site will make these spaces dangerous and difficult to access; vehicles attempting to access these spaces could cause traffic conflicts with vehicle ingress/egress from/to the Highland Road driveway and vehicles entering the drive-thru. (Comment outstanding. The nine aforementioned parking spaces remain as previously proposed. A dimension (19 feet) has been added to the back side of the six parking spaces on the east side of the site; this has been noted as an attempt to demonstrate reduced interference from these parking spaces with the bypass lane. Staff continues to recommend revisions to this area of the site plan; see recommendation on Page 15).

Two-way drives are required to be a minimum of 24 feet in width. At the east end of the northerly drive aisle, the proposed width is 22.8 feet. Revise the site plan to increase the width to 24 feet; if not revised, a variance is required from the Zoning Board of Appeals. (Comment addressed. The aforementioned two-way drive aisle has been revised to be 24 feet in width).

The one-way drive (approximately 40 feet in length) north of the Bogie Lake Road driveway shall be removed. (Comment outstanding. See third comment in green in this paragraph). One-way drives are required to be a minimum of 20 feet in width, so the proposed width of 12 feet would require a variance from the Zoning Board of Appeals. (Comment addressed. The one-way drive aisle has been increased to 20 feet in width). However, removing this drive will improve vehicle circulation around the site. Funneling traffic north through said area would conflict with drive-thru and bypass lane traffic (maintaining the bypass lane is important for the efficient and safe function of the drive-thru). Also, vehicles attempting to enter the drive-thru from the Bogie Lake Road driveway would also have to traverse west across the drive aisle north of the building where pedestrians are accessing vehicles north of said drive aisle and vehicles on both sides of said drive aisle are entering/exiting the site from the west. Removing the aforementioned section of one-way drive aisle will also allow the landscape island in this area to be extended east to the east property line. (Staff concerns remain regarding the internal traffic circulation near the northeast corner of the site. Vehicles backing out of the easternmost parking spaces may have difficulties).

The zoning ordinance requires each individual parking space be delineated by dual stripes, two feet apart centered on the dividing lines and painted white. Revise the site plan and the typical parking space detail on Sheet 3. If the required striping is not provided, a variance is required from the Zoning Board of Appeals. (Comment addressed. The plans as well as the parking space detail on Sheet 3 (now Sheet 4) now show white dual striping).

All dimensions for drive widths and parking space depth shall be revised. The site plan measures drive widths to the face of curb; road measurement surface is taken between the edges of the gutter pan (drive width shall be provided between the edges of the gutter pan). (Comment partially addressed. There are still some drive aisles/maneuvering lanes with width measured to the curb, not the edge of the gutter pan. Revise accordingly). (Comment addressed. The measurements have been revised accordingly). Furthermore, gutter pan shall not be included in the measurement of parking space depth. Revise the site plan and the typical parking space detail on Sheet 3. (Comment partially addressed. Sheet 3 shows 18-foot-deep parking spaces in some areas of the site while other spaces are 17-feet in depth. Gutter pan is also being counted as width in parking spaces abutting such. Revise accordingly). (Comment addressed. The typical parking space detail now shows the space length to be 17-feet and matching what is proposed on the site plan, and the space measurements have been revised accordingly).

The typical parking space detail shows spaces 18 feet in length and the site plan shows the spaces 17 feet in length. Revise for consistency. (See previous comment. While the typical parking space detail shows parking spaces 17 feet in depth, the plan shows 18-foot-deep spaces in some areas). (Comment addressed. See previous comment).

While provided on the typical angled parking space detail, label the length and width dimensions of the angled parking on the site plan. (Comment rescinded. Angled parking is no longer proposed).

The sidewalk north of the southernmost parking spaces shall be increased to seven feet in width to be eligible for 17-foot-deep parking spaces abutting the aforementioned sidewalk. Otherwise, 18-foot-deep parking spaces shall be required. (Comment outstanding. Clarification is required. While in the response letter provided to the second review the Applicant’s engineer stated the sidewalk width has been increased to seven feet in width, on Sheet 4 there is a 6.5-foot dimension label appearing to indicate the width of said sidewalk). (Comment addressed. The dimension has been revised and now shows the full seven-foot width). Label the parking space depth and width, width of the sidewalk north of the spaces, and width of the sidewalk west of the spaces. (Comment partially addressed. Parking space depth and width have been added, but the sidewalk width west of the spaces is not labeled and the width of the sidewalk north of the spaces is unclear (see previous comment)). (Comment addressed. Additional sidewalk width dimensions have been added to the site plan). Additionally, staff recommends the 10 southernmost parking spaces be restricted to employee parking and designated/marked accordingly. (Comment partially addressed. The number of parking spaces south of the building has increased to 24. Staff continues to suggest the southernmost spaces (12) be restricted to employee parking and designated/marked accordingly. While in the response letter provided to the second review the Applicant’s engineer stated they acknowledge this recommendation, a note stating such could not be located by staff on Sheet 4). (Comment addressed. Site Plan Note 4 has been added to Sheet 4 of the plan set).

For the proposed drive-thrus, eight vehicle stacking spaces inclusive of the vehicle at the window are required. The site plan shall show nine-foot-wide and 18-foot-long stacking spaces, and the parking calculations in the Site Data table on Sheet 3 shall be revised to show the required and proposed stacking spaces. (Comment addressed. The Site Data Table now shows the correct number of required and proposed stacking spaces).

Off-Street Loading Requirements

The zoning ordinance requires ~~two~~ **one** loading spaces for a development of this size (~~one for each building~~). Such loading and unloading spaces must be an area 10 feet by 50 feet, with a 15-foot height clearance. **No loading spaces are proposed, so a variance is required from the Zoning Board of Appeals.** (Comment partially addressed. A loading space is now provided northeast of the proposed dumpster enclosure (label the length and width); however, staff agrees with DLZ regarding the location presenting conflict with traffic entering and exiting the site from Bogie Lake Road). (Comment addressed. The loading space north of the proposed dumpster is now shown outside of the drive aisle).

Signs

The zoning ordinance requires the area, quantity, location, and dimensions of all signs to be provided with the preliminary site plan. The site plan shows the location of ~~two~~ **one** monument signs, each with a 10-foot setback from the Highland Road and Bogie Lake Road rights-of-way. **(The proposed sign area of the monument sign is 125 square feet, which exceeds the allowed sign area by 65 square feet and would require a variance from the Zoning Board of Appeals (a note on Sheet 4 incorrectly states the allowed sign area is 65 square feet when the allowed sign area is 60 square feet based on the proposed sign setback; revise accordingly). (Comment addressed. The monument sign has been revised with additional setback and reduced sign area to comply with the zoning ordinance). Freestanding signs on parcels containing a multi-tenant building in the GB zoning district are allowed six square feet of sign area for each one foot of setback, up to a maximum of 150 square feet in area (with a 25-foot setback)). (The Applicant will be requesting a variance for sign area (has been added to the list of variances to be requested on Sheet 4)). (Comment rescinded. See previous comment in green in this paragraph).** In instances where a parcel has frontage on two thoroughfares, a second freestanding sign may be permitted along the secondary thoroughfare. This provision is contingent upon the second sign being no more than 50 percent of the size permitted the first sign, a minimum 150 feet of separation exists between any freestanding signs on the site, and all other setback requirements are met. Sheet PP-1 shows a detail labeled “existing pylon sign.” There is no existing pylon sign on the site. **(The aforementioned sheet has been renumbered as PP-3 with the second submittal).** Furthermore, the zoning ordinance prohibits pylon signs. **Remove the aforementioned detail from the plan set. (Comment addressed. The aforementioned detail has been removed).** Any proposed freestanding sign must be of the monument type (which is indicated on Sheet 3 of the site plan). While monument sign details were not provided **(a detail is now provided on Sheet PP-3) (the aforementioned sheet has been renumbered as PP-4 with the third submittal) (the aforementioned sheet has been renumbered as PP-5 with the third submittal)**, staff can administratively review and approve signage. Any/all signage would be required to comply with the zoning ordinance.

~~The Culver’s building elevations show three wall signs (one on every façade except the south elevation). In instances where a parcel has frontage on two streets, an additional wall sign may be permitted on the building facing the secondary thoroughfare, which is no greater than five percent of the wall area on which the sign is placed. Where permitted, wall signs must be located flat against the building’s front façade or parallel to the front façade on a canopy. **The wall sign on the west elevation shall be removed, or a variance is required from the Zoning Board of Appeals.** Additionally, wall signs cannot extend above the roofline of a building. **Variances are required to install wall signs above the roofline of the building.** Staff does not support any variances for signage. **The building elevations should be revised to comply with the sign standards.** Note signage is not permitted on the awnings. **(These comments are no longer applicable as the Culver’s building is no longer being proposed on this site).**~~

~~The multi-tenant (four tenants) retail and coffee shop building elevations show wall signs on every facade, except the south elevation.~~ In the case of a building with two or more tenants, one wall sign is permitted per tenant. In instances where a parcel has frontage on two streets, an additional wall sign may be permitted on the building facing the secondary thoroughfare, which is no greater than five percent of the wall area on which the sign is placed. **The wall sign on the west elevation shall be removed, or a variance is required from the Zoning Board of Appeals.** (Comment outstanding). (The Applicant will be seeking a variance for this wall sign (has been added to the list of variances to be requested on Sheet 4)). (Comment rescinded. The wall sign on the west elevation has been removed). Additionally, wall signs cannot extend above the roofline of a building. **Variances are required to install wall signs above the roofline of the building.** (Comment outstanding). (The Applicant will be seeking a variance for the placement of walls signs (has been added to the list of variances to be requested on Sheet 4)). (Comment rescinded. The wall signs on the north elevation have been removed. The response letter provided to the third review stated until tenants are known sign placement is unknown, and sign permits will be sought as tenants are selected). Staff does not support any variances for signage. **The building elevations should be revised to comply with the sign standards.** (Comment remains as a notation). Note signage is not permitted on the canopies.

Outdoor Lighting

Site lighting is required to comply with the zoning ordinance. Information on site lighting will be provided and reviewed in detail during final site plan. While the building elevations show wall-mounted lighting, outdoor lighting is reviewed and approved via a photometric plan and required attachments. **All luminaries shall be removed from existing sheets in the plan set.** (Comment outstanding. Note the type of wall-mounted sconce lighting (appears to be outward, unshielded lighting) shown on the preliminary elevations is not permitted in the Township and would require a variance from the Zoning Board of Appeals). (Comment rescinded. The sconce lighting has been removed from the plans. A photometric plan indicating light sources and styles will be provided at final site plan).

Staff Analysis – Special Land Use (Drive-thru)

Special land uses for drive-thrus are evaluated using the general standards for all special land uses listed in Article 6, Section 10 of the zoning ordinance and the following specific standards for outdoor dining found in Article 4, Section 17 of the zoning ordinance:

A. A front yard setback of at least sixty (60) feet shall be required.

The coffee shop drive-thru tenant space is only 50 feet from the Bogie Lake Road right-of-way. However, the drive-thru window is over 60 feet from the Bogie Lake Road right-of-way. **The Applicant may request the Zoning Board of Appeals make an interpretation allowing the setback as proposed being conforming to the 60-foot front yard setback.** (Comment outstanding; however, the Applicant intends to seek an interpretation/variance from the Zoning Board of Appeals). ~~The Culver's building is conforming.~~

B. Entrance and exit drives shall be at least one hundred (100) feet from any street intersection and two hundred (200) feet from any residential district.

The Highland Road driveway is not 200 feet from the residential zoning district to the west. **Therefore, a variance is required from the Zoning Board of Appeals.** (Comment outstanding; however, the Applicant intends to seek a variance from the Zoning Board of Appeals). The Bogie Lake Road driveway is compliant.

C. An outdoor lighting plan shall specify the type of fixtures to be used, light intensity, and method of shielding the fixtures so that light does not project onto adjoining properties or on any public or private street or right-of-way. Dropped fixtures shall not be allowed. The site plan shall include a photometric plan and catalog details for all proposed fixtures. Outdoor lights must meet the performance standards of Section 5.18.

Site lighting is required to comply with the zoning ordinance. Information on site lighting will be provided and reviewed in detail during final site plan.

Staff Analysis – Special Land Use (Outdoor Dining)

Special land uses for outdoor dining are evaluated using the general standards for all special land uses listed in Article 6, Section 10 of the zoning ordinance and the following specific standards for outdoor dining found in Article 4, Section 18 of the zoning ordinance:

A. The Planning Commission shall determine that the use is designed and will be operated so as not to create a nuisance to property owners adjacent to or nearby the eating establishment. As such, the proposed use shall meet the following minimum criteria:

i. The establishment may operate only during the following hours:

- *Monday thru Thursday: 8:00 a.m. – 12:00 midnight*
- *Friday: 8:00 a.m. – 2:00 a.m.*
- *Saturday: 10:00 a.m. – 2:00 a.m.*
- *Sunday: 10:00 a.m. – 10:00 p.m.*

~~Culver's and t~~The coffee shop would be required to adhere to said hours of operation. **(Revise Site Plan Note 3 on Sheet 3. The hours of operation pertain to the outdoor dining hours, not hours of operation for the coffee shop).** (Comment addressed. The note on Sheet 4 has been updated accordingly).

ii. The use of exterior loudspeakers is prohibited where the site abuts a residential district or use. The noise level at the lot line shall not exceed 70 dB.

~~Culver's and t~~The coffee shop would be required to adhere to said performance standard.

iii. An outdoor lighting plan shall specify the type of fixtures to be used, light intensity, and method of shielding the fixtures so that light does not project onto adjoining properties or on any public or private street or right-of-way. Dropped fixtures shall not be allowed. The site plan shall include a photometric plan and catalog details for all proposed fixtures. Outdoor lights must meet the performance standards of Section 5.18.

Site lighting is required to comply with the zoning ordinance. Information on site lighting will be provided and reviewed in detail during final site plan.

B. Additional parking spaces must be provided according to the following:

- i. *Outdoor dining areas for more than 30 people or which include either permanent or seasonal structures, such as awning, roofs, or canopies, may be required to provide additional parking according to the following:*
 - a. *If the outdoor seating is 25% of the indoor seating or less, no additional parking is necessary.*
 - b. *If the outdoor seating is 26%-50% of the indoor seating, the restaurant may be required to provide up to 125% of the parking required for the indoor space.*
 - c. *If the outdoor seating is over 50% of the indoor seating capacity, the restaurant may be required to provide up to 150% of the parking required for the indoor space.*

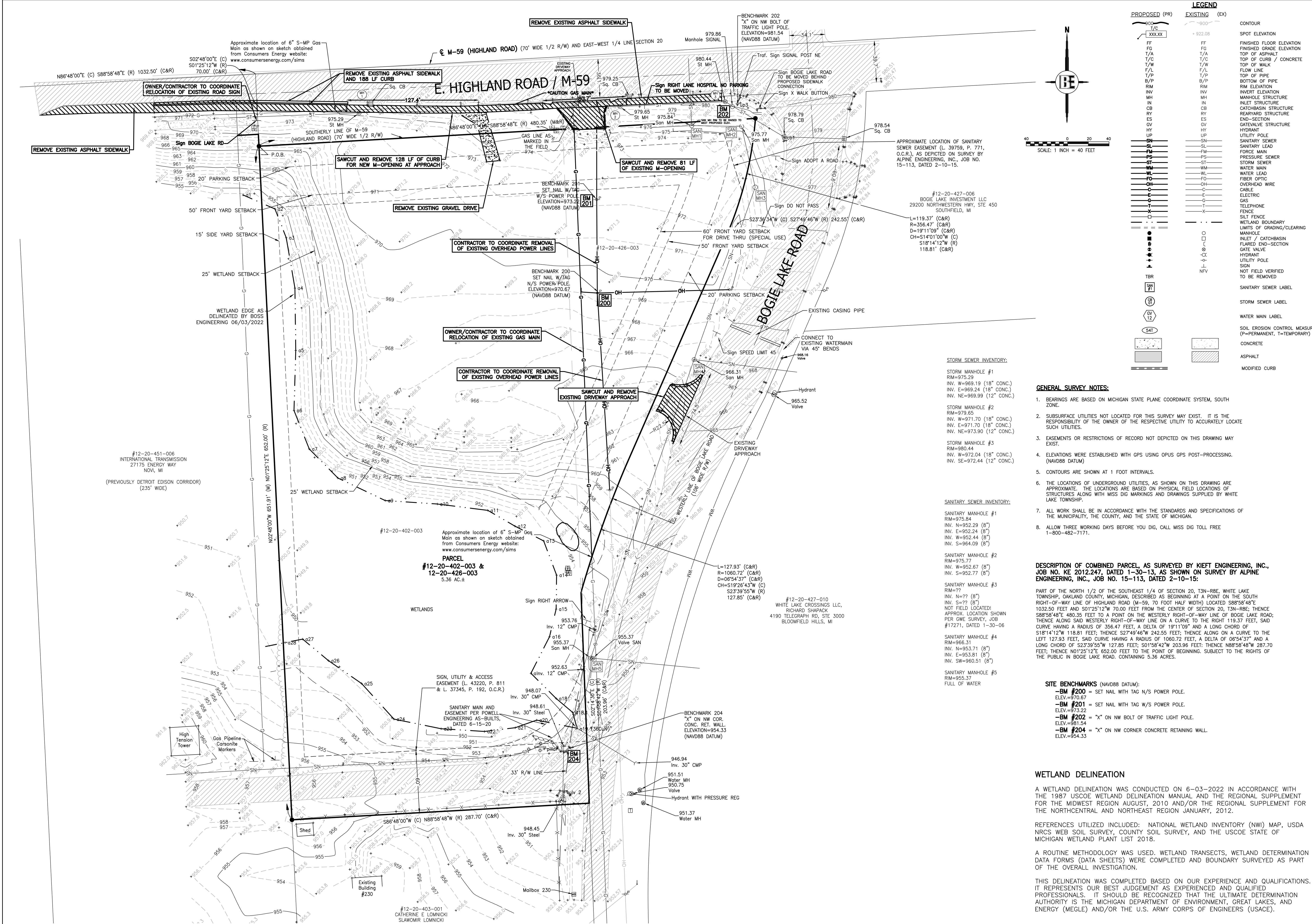
According to the site plan, a 656 square foot patio is proposed on the northeast corner of the Culver's building and a 253 **232** square foot patio is proposed on the northeast corner of the retail and coffee shop building. From an occupancy perspective, the Building Code states assembly without fixed seating – unconcentrated (tables and chairs) is F15 square feet per person. Maximum patio occupancy is subject to approval of the Building Official. The site plan shows seating for 16 patrons on the Culver's patio (four, four-top tables). Based on a restaurant dining room with 80 seats, the outdoor seating does not warrant additional parking. The site plan shows seating for eight patrons on the coffee shop patio (two, four-top tables). The submitted floor plan does not show the coffee shop seating capacity; however, the tenant space would be limited to 32 seats in order to not warrant additional parking to serve the outdoor seating. **(Per the design engineer, the outdoor seating is less than 25% of the indoor seating. Therefore, no additional parking is required).**

Planning Commission Options / Recommendation

The Planning Commission may recommend approval, approval with conditions, or denial of the preliminary site plan to the Township Board; action on the special land use is determined by the Planning Commission. ~~Staff recommends the plans be revised and resubmitted to address the items identified in this memorandum. An updated list of any requested variances shall also be provided.~~ **The majority of staff comments have been addressed. While there are variances required, the plan demonstrates land use feasibility. Concerns remain regarding the internal traffic circulation, especially near the northeast corner of the site. At a minimum the southerly three parking spaces of the easternmost six parking spaces should be removed; doing so would also allow the direct pedestrian access to the building from the frontage sidewalk along Bogie Lake Road to be shifted north. As proposed, the location of the pedestrian access is a safety concern as it crosses the bypass lane just north of the drive-thru window. Eliminating the three aforementioned parking spaces and shifting the pedestrian access north would provide separation from vehicles at the drive-thru window.**

The following plans were reviewed:

- Plans prepared by Boss Engineering dated January 5, 2023 (~~revision date-September 8, 2023~~ ~~January 12~~February 28, 2024). The utility, grading, and drainage plans for the site are subject to the approval of the Township Engineering Consultant and shall be completed in accordance with the Township Engineering Design Standards. **Note 2 on Sheet 1 shall be removed (the zoning ordinance requires plans be to scale).** (Comment addressed. The note has been removed).
- Preliminary floor plan and elevations prepared by Detroit Architectural Group dated ~~January 4~~~~September 6~~~~November 15,~~ 2023February 28, 2024. **These plans shall be sealed by the Registered Architect who prepared the plans.** (Comment addressed. The aforementioned plan sheets have been sealed).
- ~~Floor plan and exterior elevations prepared by AMAG dated May 15, 2020 (revision date May 28, 2020). **These plans shall be sealed by the Registered Architect who prepared the plans.** (Comment rescinded. This comment is no longer applicable as the west building is no longer being proposed).~~



LEGEND

PROPOSED (PR)	EXISTING (EX)	DESCRIPTION
900	900	CONTOUR
T/C	XXX.XX	SPOT ELEVATION
FF	FF	FINISHED FLOOR ELEVATION
T/A	T/A	TOP OF ASPHALT
T/W	T/W	TOP OF CURB / CONCRETE
F/L	F/L	TOP OF WALK
T/P	T/P	FLOW LINE
B/P	B/P	TOP OF PIPE
RM	RM	INVERT ELEVATION
INV	INV	MANHOLE STRUCTURE
MH	MH	INLET STRUCTURE
CB	CB	CATCHBASIN STRUCTURE
RY	RY	REARWARD STRUCTURE
ES	ES	END-SECTION
OV	OV	GATEVALVE STRUCTURE
HY	HY	HYDRANT
UP	UP	UTILITY POLE
SN	SN	SANITARY SEWER
PS	PS	PRESSURE SEWER
ST	ST	STORM SEWER
WM	WM	WATER MAIN
WL	WL	WATER LEAD
FO	FO	FIBER OPTIC
OH	OH	OVERHEAD WIRE
C	C	CABLE
E	E	ELECTRIC
G	G	GAS
T	T	TELEPHONE
F	F	FENCE
S	S	SILT FENCE
W	W	WETLAND BOUNDARY
L	L	LIMITS OF GRADING/CLEARING
IN	IN	INLET / CATCHBASIN
FL	FL	FLARED END-SECTION
GV	GV	GATE VALVE
HY	HY	HYDRANT
UP	UP	UTILITY POLE
SN	SN	SANITARY SEWER LABEL
PS	PS	STORM SEWER LABEL
WM	WM	WATER MAIN LABEL
W	W	SOIL EROSION CONTROL MEASURE
P	P	(P=PERMANENT, T=TEMPORARY)
C	C	CONCRETE
A	A	ASPHALT
M	M	MODIFIED CURB

- GENERAL SURVEY NOTES:**
- BEARINGS ARE BASED ON MICHIGAN STATE PLANE COORDINATE SYSTEM, SOUTH ZONE.
 - 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. (NAVD88 DATUM)
 - CONTOURS ARE SHOWN AT 1 FOOT INTERVALS.
 - THE LOCATIONS OF UNDERGROUND UTILITIES, AS SHOWN ON THIS DRAWING ARE APPROXIMATE. THE LOCATIONS ARE BASED ON PHYSICAL FIELD LOCATIONS OF STRUCTURES ALONG WITH MISS DIG MARKINGS AND DRAWINGS SUPPLIED BY WHITE LAKE TOWNSHIP.
 - 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.

DESCRIPTION OF COMBINED PARCEL, AS SURVEYED BY KIEFT ENGINEERING, INC., JOB NO. KE 2012.247, DATED 1-30-13, AS SHOWN ON SURVEY BY ALPINE ENGINEERING, INC., JOB NO. 15-113, DATED 2-10-15:

PART OF THE NORTH 1/2 OF THE SOUTHEAST 1/4 OF SECTION 20, T3N-R8E, WHITE LAKE TOWNSHIP, OAKLAND COUNTY, MICHIGAN, DESCRIBED AS BEGINNING AT A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF HIGHLAND ROAD (M-59, 70 FOOT HALF WIDTH) LOCATED 588'58"48"E 1032.50 FEET AND S01°25'12"W 70.00 FEET FROM THE CENTER OF SECTION 20, T3N-R8E; THENCE S88°58'48"E 480.35 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF BOGIE LAKE ROAD; THENCE ALONG SAID WESTERLY RIGHT-OF-WAY LINE ON A CURVE TO THE RIGHT 119.37 FEET, SAID CURVE HAVING A RADIUS OF 356.47 FEET, A DELTA OF 19°11'09" AND A LONG CHORD OF S18°14'12"W 118.81 FEET; THENCE S27°49'46"W 242.55 FEET; THENCE ALONG A CURVE TO THE LEFT 127.93 FEET, SAID CURVE HAVING A RADIUS OF 1060.72 FEET, A DELTA OF 06°54'37" AND A LONG CHORD OF S23°39'55"W 127.85 FEET; S01°58'42"W 203.96 FEET; THENCE N88°58'48"W 287.70 FEET; THENCE N01°25'12"E 652.00 FEET TO THE POINT OF BEGINNING, SUBJECT TO THE RIGHTS OF THE PUBLIC IN BOGIE LAKE ROAD, CONTAINING 5.36 ACRES.

- SITE BENCHMARKS (NAVD88 DATUM):**
- BM #200 = SET NAIL WITH TAG N/S POWER POLE. ELEV.=970.67
 - BM #201 = SET NAIL WITH TAG W/S POWER POLE. ELEV.=973.22
 - BM #202 = "X" ON NW BOLT OF TRAFFIC LIGHT POLE. ELEV.=981.54
 - BM #204 = "X" ON NW CORNER CONCRETE RETAINING WALL. ELEV.=954.33

WETLAND DELINEATION

A WETLAND DELINEATION WAS CONDUCTED ON 6-03-2022 IN ACCORDANCE WITH THE 1987 USCOE WETLAND DELINEATION MANUAL AND THE REGIONAL SUPPLEMENT FOR THE MIDWEST REGION AUGUST, 2010 AND/OR THE REGIONAL SUPPLEMENT FOR THE NORTH-CENTRAL AND NORTHEAST REGION JANUARY, 2012.

REFERENCES UTILIZED INCLUDED: NATIONAL WETLAND INVENTORY (NWI) MAP, USDA NRCS WEB SOIL SURVEY, COUNTY SOIL SURVEY, AND THE USCOE STATE OF MICHIGAN WETLAND PLANT LIST 2018.

A ROUTINE METHODOLOGY WAS USED. WETLAND TRANSECTS, WETLAND DETERMINATION DATA FORMS (DATA SHEETS) WERE COMPLETED AND BOUNDARY SURVEYED AS PART OF THE OVERALL INVESTIGATION.

THIS DELINEATION WAS COMPLETED BASED ON OUR EXPERIENCE AND QUALIFICATIONS. IT REPRESENTS OUR BEST JUDGEMENT AS EXPERIENCED AND QUALIFIED PROFESSIONALS. IT SHOULD BE RECOGNIZED THAT THE ULTIMATE DETERMINATION AUTHORITY IS THE MICHIGAN DEPARTMENT OF ENVIRONMENT, GREAT LAKES, AND ENERGY (MEGLE) AND/OR THE U.S. ARMY CORPS OF ENGINEERS (USACE).

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

EXISTING CONDITIONS & DEMOLITION PLAN

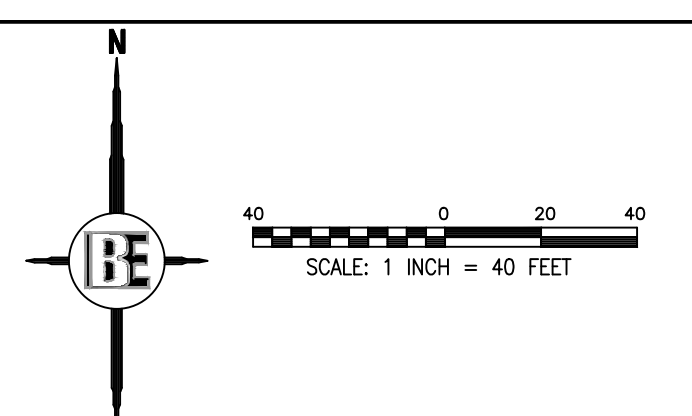
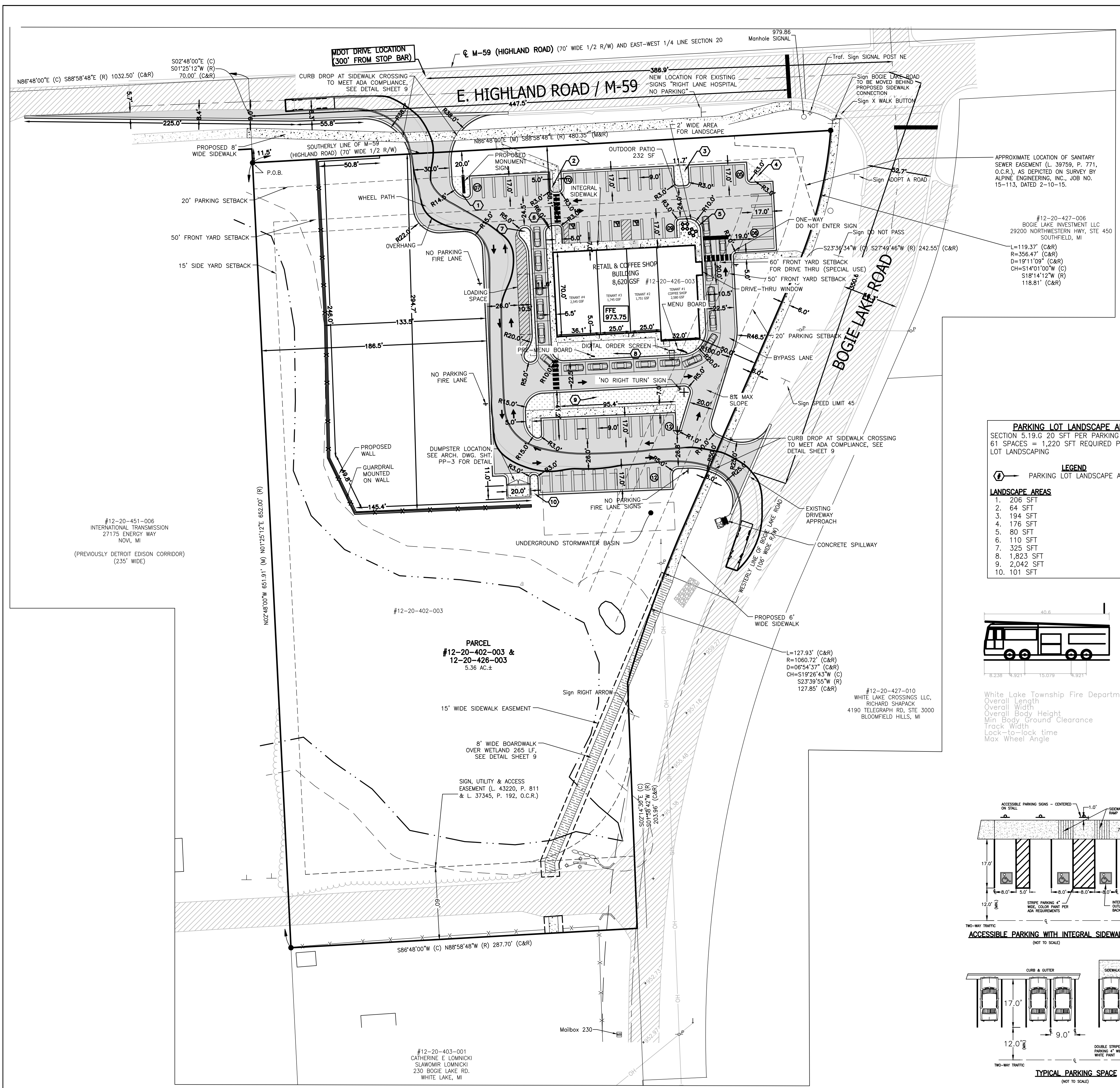
NO	BY	REVISION PER	DATE
1	AW	REVISION PER TWP P&P REV #1	09/09/23
2	MD	REVISION PER TWP P&P REV #2	1/12/24
3	ST	REVISION PER TWP P&P REV #3	2/28/24

PROJECT

PROJECT	GATEWAY CROSSING
PREPARED FOR	GATEWAY CROSSING, LLC 600 NORTH OLD WOODWARD, SUITE 101 BIRMINGHAM, MI 48009 248-937-7000
TITLE	EXISTING CONDITIONS & DEMOLITION PLAN

DESIGNED BY: AEB
DRAWN BY: RR/CZ
CHECKED BY:
SCALE: 1" = 40'
JOB NO: 22-029-1
DATE: 01/05/23
SHEET NO: 3

BEBOSS Engineering



LEGEND

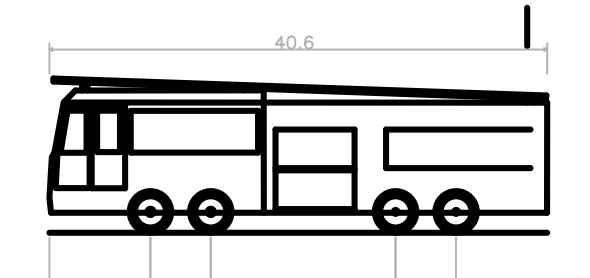
PROPOSED (PR)	EXISTING (EX)	CONTOUR
FF	FF	FINISHED FLOOR ELEVATION
FC	FC	FINISHED GRADE ELEVATION
T/A	T/A	TOP OF ASPHALT
T/C	T/C	TOP OF CURB / CONCRETE
T/W	T/W	TOP OF WALK
F/L	F/L	FLOW LINE
T/P	T/P	TOP OF PIPE
B/P	B/P	BOTTOM OF PIPE
RM	RM	RIM ELEVATION
INV	INV	INVERT ELEVATION
MH	MH	MANHOLE STRUCTURE
IN	IN	INLET STRUCTURE
CB	CB	CATCHBASIN STRUCTURE
RY	RY	REAR-YARD STRUCTURE
ES	ES	END-SECTION
OV	OV	GATEVALVE STRUCTURE
HY	HY	HYDRANT
UP	UP	UTILITY POLE
SN	SN	SANITARY SEWER
SL	SL	SANITARY LEAD
FM	FM	FORCE MAIN
PS	PS	PRESSURE SEWER
ST	ST	STORM SEWER
WM	WM	WATER MAIN
WL	WL	WATER LEAD
FO	FO	FIBER OPTIC
OH	OH	OVERHEAD WIRE
C	C	CABLE
E	E	ELECTRIC
T	T	TELEPHONE
X	X	FENCE
W	W	WETLAND BOUNDARY
L	L	LIMITS OF GRADING/CLEARING
○	○	INLET / CATCHBASIN
□	□	FLARED END-SECTION
○	○	GATE VALVE
○	○	HYDRANT
○	○	UTILITY POLE
○	○	SIGN
○	○	NOT FIELD VERIFIED TO BE REMOVED
○	○	CONCRETE
○	○	ASPHALT
○	○	PARKING LOT LANDSCAPING

PARKING LOT LANDSCAPE AREA:
SECTION 5.19.G 20 SFT PER PARKING SPACE X 61 SPACES = 1,220 SFT REQUIRED PARKING LOT LANDSCAPING

LEGEND
PARKING LOT LANDSCAPE AREA LABEL

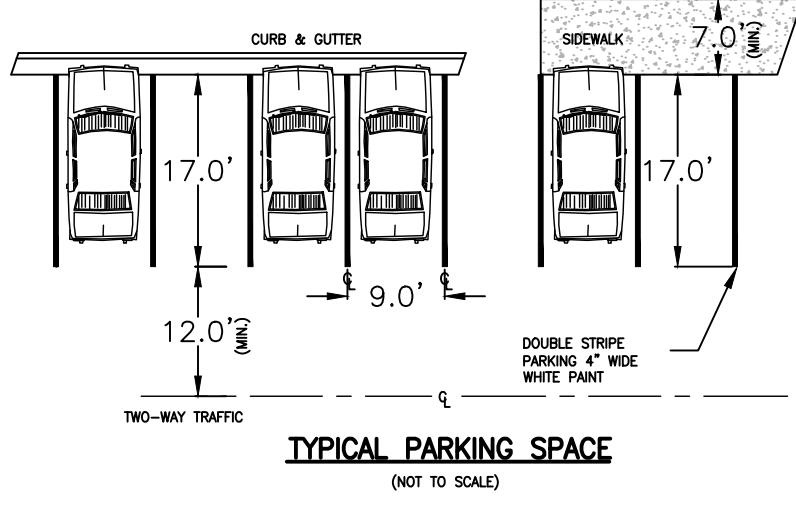
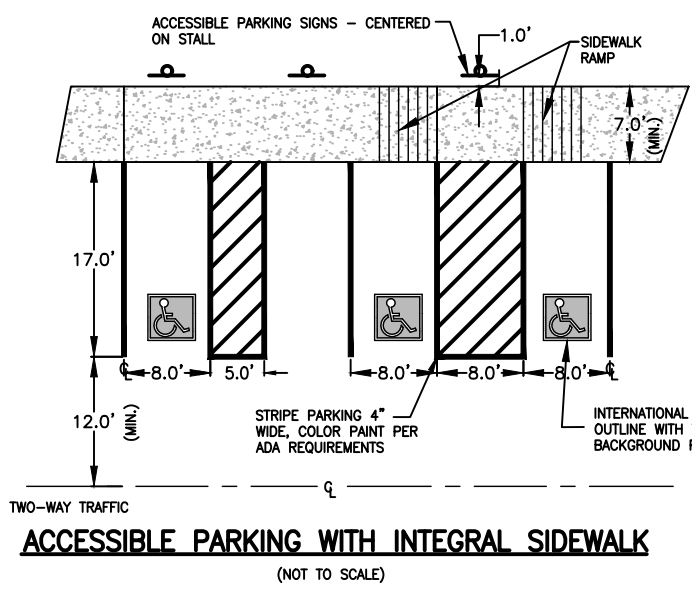
LANDSCAPE AREAS

- 206 SFT
- 64 SFT
- 194 SFT
- 176 SFT
- 80 SFT
- 110 SFT
- 325 SFT
- 1,823 SFT
- 2,042 SFT
- 101 SFT



White Lake Township Fire Department

Overall Length	40.600ft
Overall Width	9.665ft
Overall Body Height	12.565ft
Min. Body Ground Clearance	1.628ft
Track Width	9.665ft
Lock-to-lock time	6.00s
Max Wheel Angle	45.00°



SITE DATA:

WHITE LAKE TOWNSHIP
COMBINED PARCELS # 4712-20-402-003 AND # 4712-20-426-003
HIGHLAND ROAD
WHITE LAKE, MI 48383
5.36 AC +/-

ZONING: GENERAL BUSINESS

USE: RETAIL BUILDING SQUARE FOOTAGE (FOOTPRINT): RETAIL WITH DRIVE-THROUGH 8,620 GSF

SINGLE OWNER LEASABLE BUILDING WITH ADDITIONAL DEVELOPABLE SPACE ON THE WEST SIDE OF THE PARCEL. PARCEL TO REMAIN UNDER SINGLE OWNER AT THIS TIME.

MIN. LOT AREA REQUIRED FOR ZONING: 1 ACRE
MIN. LOT WIDTH: 200 FT
TOTAL EX. LOT WIDTH: 485.39
MAX. LOT COVERAGE: 40% BLDG, 85% IMPERVIOUS

MIN. SETBACKS REQUIRED:
FRONT: 50'-FT
REAR: 20'-FT
SIDE: 15'-FT

PROPOSED SETBACKS:
FRONT (NORTH): 88.1 FT
FRONT (EAST): 50.0 FT
REAR (SOUTH): 487.6 FT
SIDE (WEST): 245.2 FT

REQUIRED PARKING:

TENANT #1: (COFFEE SHOP W/ DRIVE-THROUGH)
= 1.0 SPACE PER 75 GROSS FLOOR AREA
2,565 / 75 = 34.20 SPACES ~ 34 SPACES PLUS 8 STACKING SPACES

TENANT #2: (GENERAL RETAIL)
= 1.0 SPACE PER 200 GFA
1,751 GFA / 200 = 8.76 SPACES ~ 9 SPACES

TENANT #3: (GENERAL RETAIL)
= 1.0 SPACE PER 200 GFA
1,745 GFA / 200 = 8.73 SPACES ~ 9 SPACES

TENANT #4: (RESTAURANT)
= 1.0 SPACE PER 100 GFA
2,545 GFA / 100 = 25.45 SPACES ~ 25 SPACES

SPACES REQUIRED: 34 + 9 + 9 + 25 = 77 SPACES AND 8 STACKING SPACES
PROVIDED: 61 SPACES INCLUDING 3 ADA SPACES, PLUS 16 STACKING SPACES

- SITE PLAN NOTES**
- VARIANCES TO BE REQUESTED:
 - 155-FOOT VARIANCE FOR PROPOSED LOCATION OF HIGHLAND ROAD DRIVEWAY WHICH IS LOCATED 386.9 FEET FROM BOGIE LAKE ROAD INTERSECTION (MIN. DISTANCE BETWEEN PROPOSED DRIVEWAY AND NEAREST INTERSECTION SHALL NOT BE LESS THAN 455 FEET WHERE SPEED LIMIT IS GREATER THAN OR EQUAL TO 50 MPH.)
 - VARIANCE FOR PARKING DEFICIENCY ~ 77 SPACES AND 8 STACKING SPACES REQUIRED. PROPOSED 61 SPACES WITH 16 STACKING SPACES.
 - VARIANCE FROM ACCESS MANAGEMENT STANDARDS - DISTANCE BETWEEN HIGHLAND ROAD ENTRANCE AND INTERSECTION WITH BOGIE LAKE ROAD CANNOT BE LESS THAN 455 FEET. CURRENT PROPOSED DISTANCE IS 300 FEET.
 - (SPECIAL USE) DRIVE-THRU REQUIRES A 60-FOOT FRONT YARD SETBACK FROM BOGIE LAKE ROAD R.O.W. THE DRIVE-THRU WINDOW IS MORE THAN 60' FROM THE R.O.W. BUT THE CLOSEST CORNER OF THE BUILDING IS THE BUILDING IS 50 FEET WAY. REQUEST ZONING BOARD OF APPEALS MAKES AN INTERPRETATION ALLOWING THE SETBACK AS PROPOSED BEING CONFORMING TO THE 60-FOOT FRONT YARD SETBACK.
 - (SPECIAL USE) VARIANCE FOR HIGHLAND ROAD DRIVEWAY LOCATED LESS THAN 200 FEET FROM THE RESIDENTIAL ZONING DISTRICT TO THE WEST.
 - VARIANCE FOR REDUCTION IN GLASS FACADE ON EAST ELEVATION. REQUIRED 30% GLASS COVERAGE, PROVIDED 9.27% GLASS COVERAGE.
 - ACCESS DRIVE SHALL BE DESIGNED AND MAINTAINED TO SUPPORT THE IMPOSED LOADS OF FIRE APPARATUS AND SHALL BE SURFACED SO AS TO PROVIDE ALL-WEATHER DRIVING CAPABILITIES.
 - THE OUTDOOR DINING MAY OPERATE ONLY DURING THE FOLLOWING HOURS:
 - M-TH: 8:00AM TO 12:00AM (MIDNIGHT),
 - FRIDAY: 8:00 AM TO 2:00 AM,
 - SATURDAY: 10:00 AM TO 2:00 AM
 - SUNDAY: 10:00 AM TO 10:00 PM
 - PARKING SPACES AT THE SOUTH END OF THE SITE SHALL BE DESIGNATED/MARKED AS EMPLOYEE PARKING.

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

GATEWAY CROSSING
GATEWAY CROSSING, LLC
600 NORTH OLD WOODWARD, SUITE 101
BIRMINGHAM, MI 35209
248-433-7000

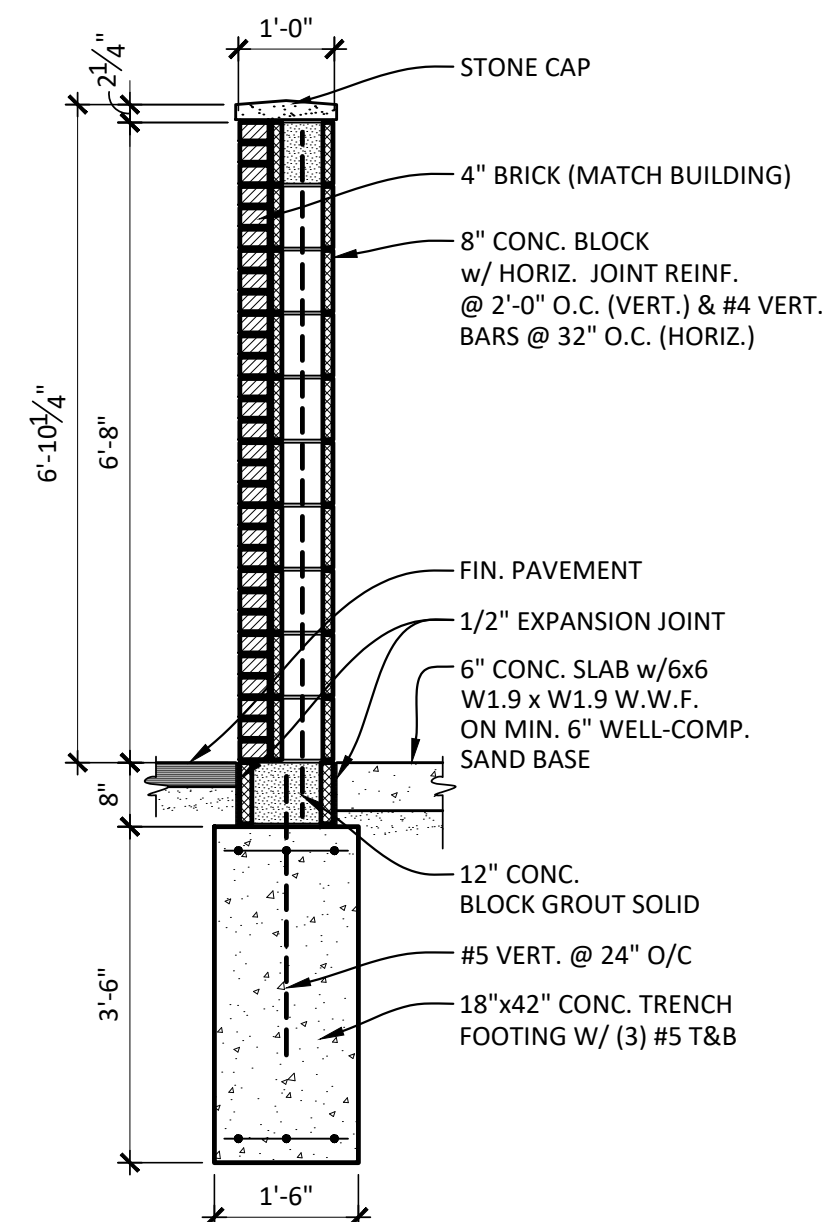
SITE PLAN

NO.	DATE	BY	REVISION PER
1	09/09/23	JAV	REVISION PER TWP PSP REV #1
2	11/02/24	ST	REVISION PER TWP PSP REV #2
3	2/28/24	ST	REVISION PER TWP PSP REV #3

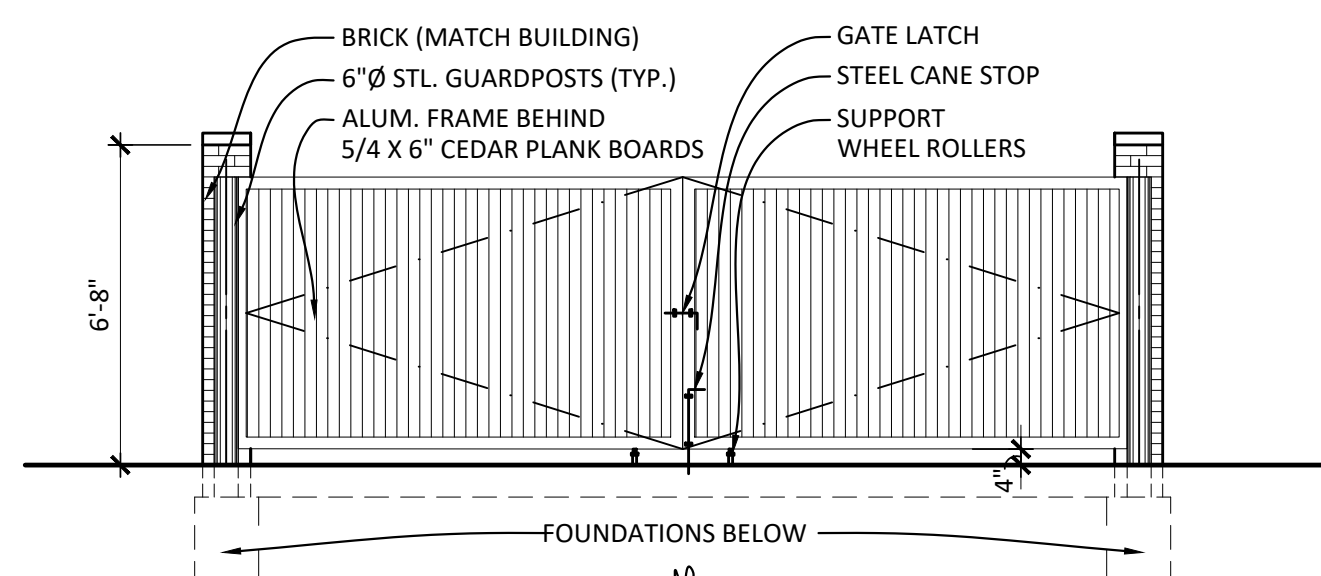
DESIGNED BY: ST
DRAWN BY: JS
CHECKED BY: BL
SCALE: 1" = 40'
JOB NO: 22-029-1
DATE: 01/05/23
SHEET NO. 4

Proposed
**MULTI-TENANT
 SHELL BUILDING**

M-59 & BOGIE LAKE RD.
 WHITE LAKE, MI 48383

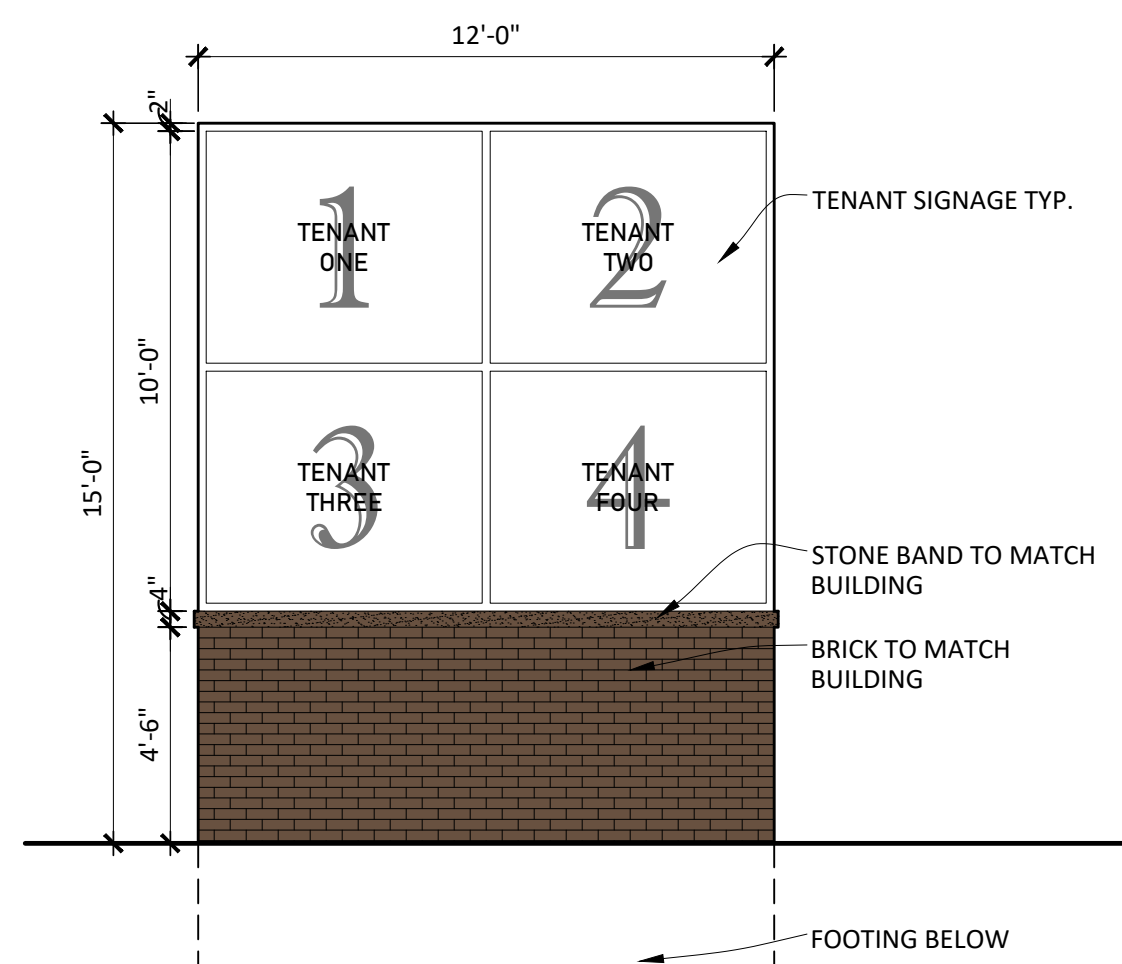


TRASH ENCLOSURE DETAIL 3
 SCALE: 1/2" = 1'-0"

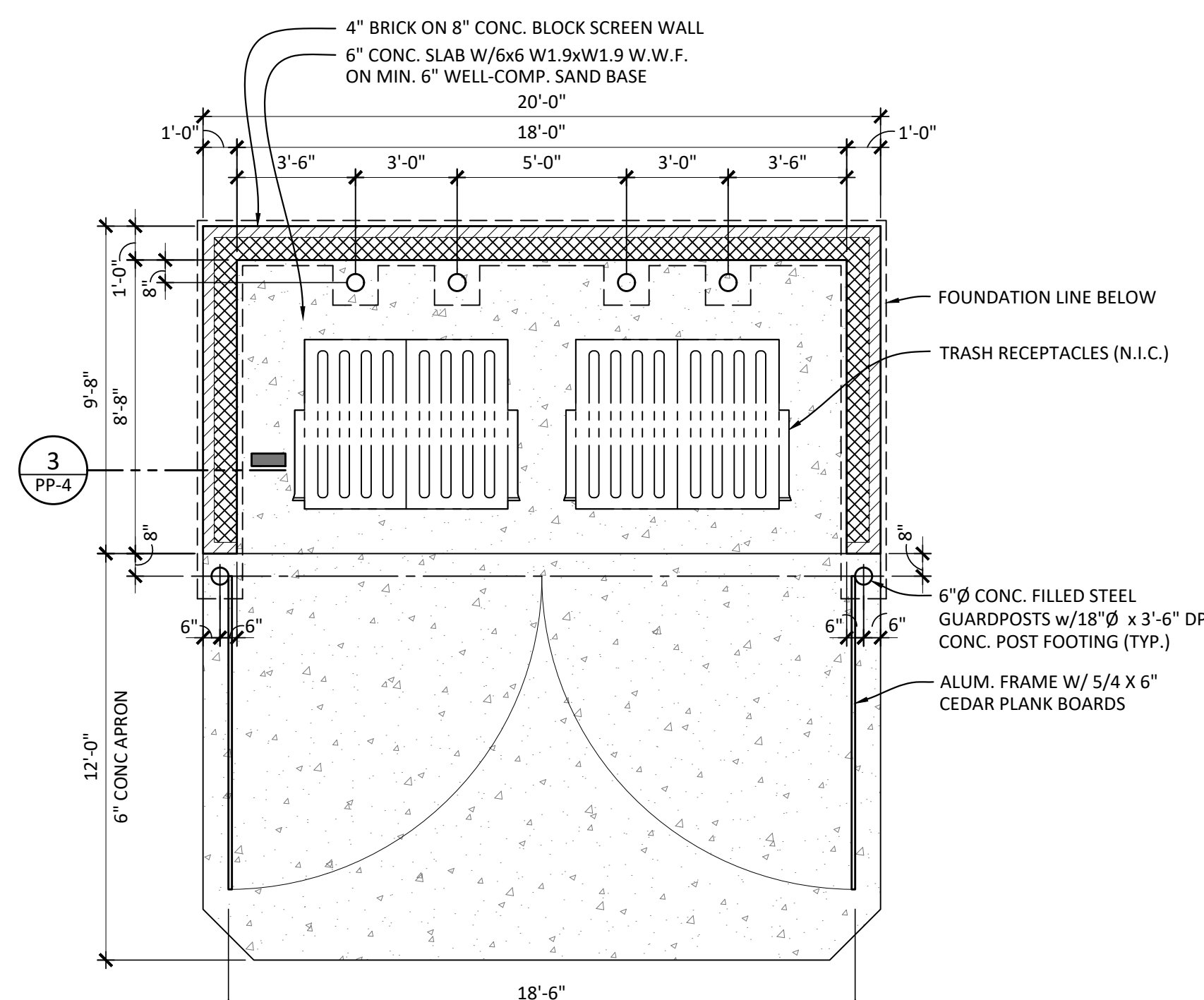


TRASH ENCLOSURE ELEVATION 2
 SCALE: 1/4" = 1'-0"

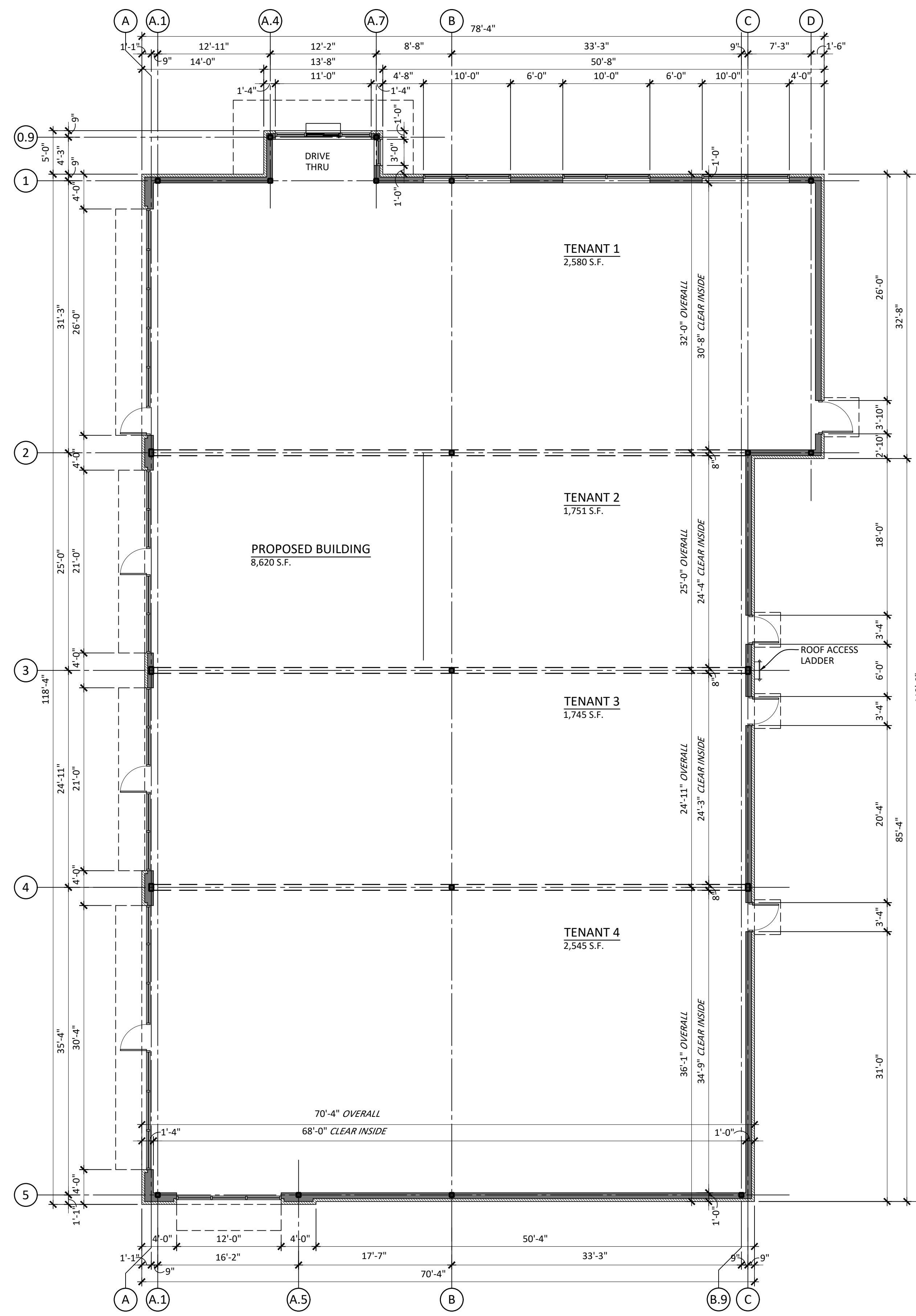
SIGNAGE REQUIREMENTS		
ORD. SECTION	REQUIRED	PROPOSED
SEC 5.9.J.1	FREESTANDING SIGN: ONE SIGN AREA: MAX -150FT ² HEIGHT: 15 FT MAX.	PROVIDED 120 FT ² 15'



MONUMENT SIGN 5
 SCALE: 1/4" = 1'-0"



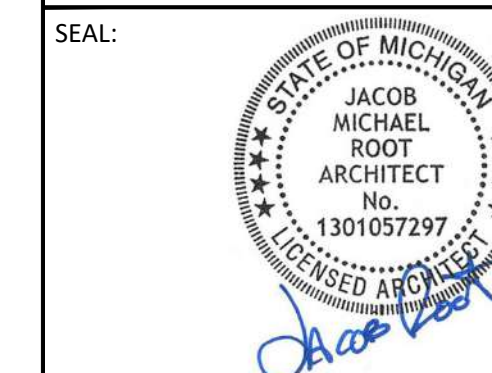
TRASH ENCLOSURE PLAN 1
 SCALE: 1/4" = 1'-0"



PRELIMINARY FLOOR PLAN 1
 SCALE: 1/8" = 1'-0"

REV	DATE	ISSUED FOR REVIEW
02-28-24		CITY COMMENTS
02-22-24		ISSUED FOR REVIEW

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DRAWN BY: CMS
 CHECKED BY: VW, JR
 IN CHARGE: WV, JMR

SHEET NAME:
 PRELIMINARY FLOOR PLAN
 & DETAILS

JOB NO:
 22-051

SHEET NO:
 PP-5

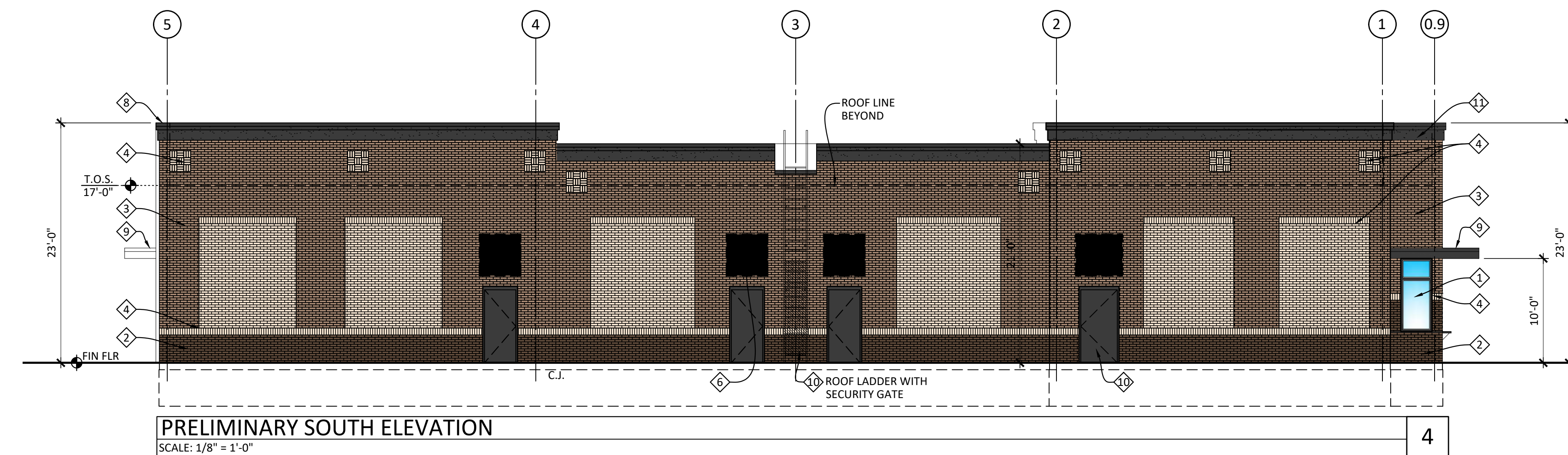
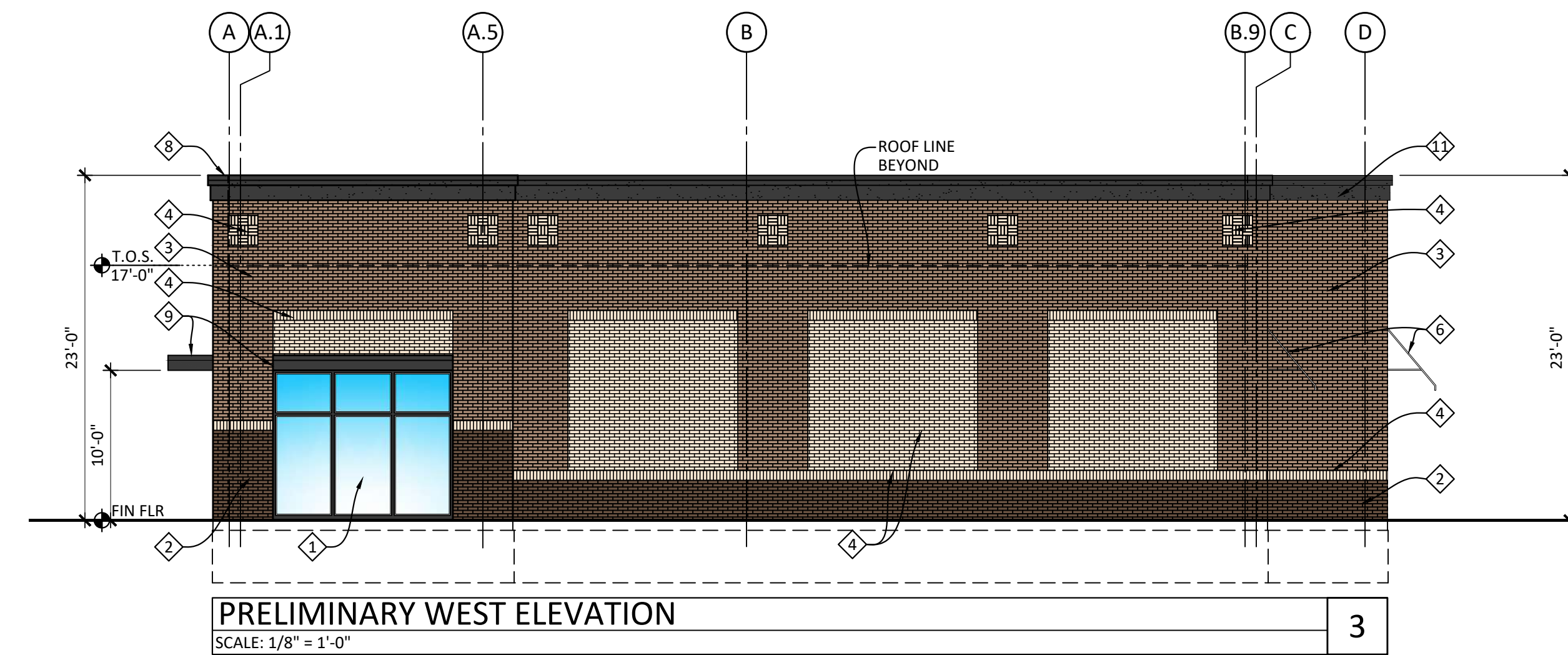
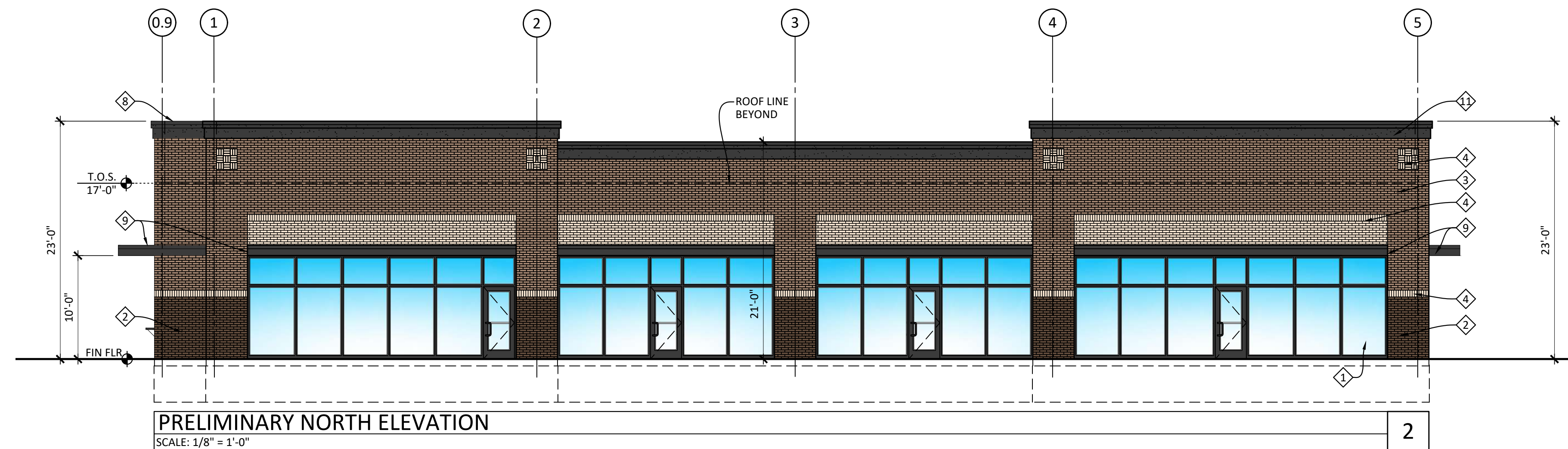
EXTERIOR FINISH KEY

- 1 STOREFRONT
THERMALLY BROKEN ALUM. FRAME
W/INSULATED GLAZING
MFR: T.B.D. COLOR: BLACK
SPL - DENOTES SPANDREL GLAZING
- 2 MODULAR BRICK VENEER
MANUF.: T.B.D.
COLOR: DARK BROWN
- 3 MODULAR BRICK VENEER
MANUF.: T.B.D.
COLOR: MEDIUM BROWN
- 4 MODULAR BRICK VENEER
MANUF.: T.B.D.
COLOR: LIGHT BROWN
- 5 NOT USED
- 6 ALUMINUM FRAME AWNING
FABRIC ON ALUMINUM FRAME AWNING
BY LANDLORD
MANUF.: T.B.D. COLOR: BLACK
- 7 NOT USED
- 8 PREFINISHED METAL COPING
MFR: FIRESTONE
COLOR: (MATCH) DARK BROWN
- 9 METAL CANOPY
MFR: T.B.D.
COLOR: MATTE BLACK
- 10 PAINT
MFR: SHERWIN WILLIAMS
COLOR: SW 6989 "DOMINO"
- 11 EIFS
MFR: T.B.D.
COLOR: DARK BROWN

- NOTES:
1. PROVIDE 5/8" FRP PLYWOOD SUBSTRATE AS REQUIRED AS REQUIRED FOR ALL SIGN BOXES, SCUNCES, UTILITIES, AWNINGS.
 2. ALL GLAZING SHALL BE TEMPERED AS REQUIRED ADJACENT TO DOORS AND FINISHED FLOOR

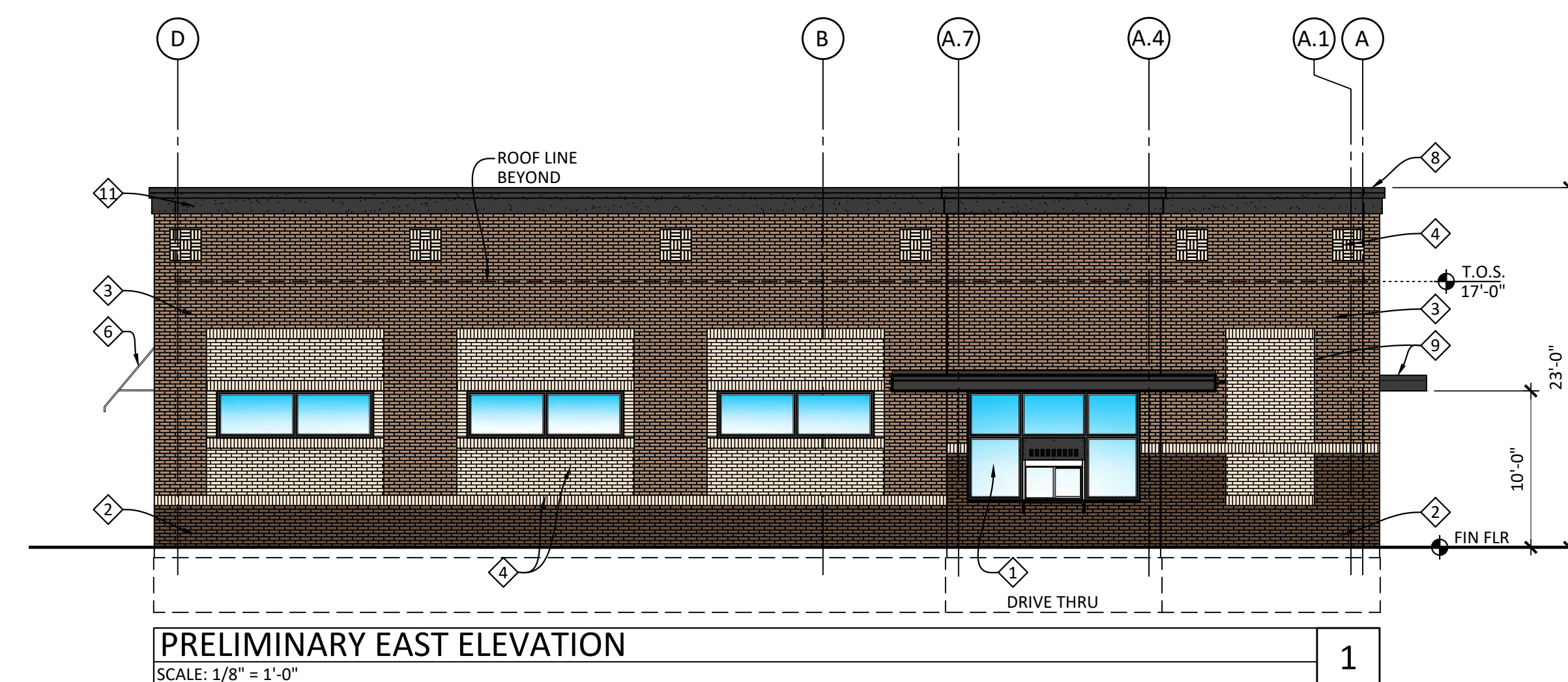
GLASS CALCULATION

ELEVATION AREA: 2,631 SF
 GLASS AREA: 983 SF
 GLASS RATIO: 983/2,631 = 37.36 %



GLASS CALCULATION

ELEVATION AREA: 1,802 SF
 GLASS AREA: 167 SF
 GLASS RATIO: 167/1,802 = 9.27 %



**Proposed
 MULTI-TENANT
 SHELL BUILDING**

M-59 & BOGIE LAKE RD.
 WHITE LAKE, MI 48383

REV	DATE	ISSUED
02-28-24		CITY COMMENTS
02-22-24		ISSUED FOR REVIEW

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DRAWN BY: CMS
 CHECKED BY: VW, JR
 IN CHARGE: VW, JMR
 SHEET NAME:
 PRELIMINARY ELEVATIONS

JOB NO:
22-051
 SHEET NO:
PP-5.1