



ZONING BOARD OF APPEALS MEETING

LOCATION: TOWNSHIP ANNEX, 7527 HIGHLAND ROAD, WHITE LAKE, MICHIGAN, 48383
(FORMER WHITE LAKE LIBRARY)
THURSDAY, DECEMBER 08, 2022 – 7:00 PM

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

AGENDA

1. CALL TO ORDER
2. ROLL CALL
3. PLEDGE OF ALLEGIANCE
4. APPROVAL OF AGENDA
5. APPROVAL OF MINUTES
 - A. Zoning Board of Appeals Regular Meeting of October 27, 2022
6. OLD BUSINESS
7. NEW BUSINESS
 - A. Applicant: David and Jeanine Scalpone / Sterling Mintzer
11071 Beryl Drive
White Lake, MI 48386
Location: **11071 Beryl Drive**
White Lake, MI 48386 identified as 12-33-278-010
Request: The applicant requests to construct a single-family house and accessory building (garage), requiring variances from Article 3.1.6.E, R1-D Single Family Residential Front-Yard Setback, Side-Yard Setback, and Maximum Lot Coverage. A variance from Article 5.7.A, Accessory Buildings or Structures in Residential Districts is required for the setback between the principal building and accessory building.
8. OTHER BUSINESS
 - A. Applicant: Andrew Bienkowski and Rachel Menard
2230 Wigger Lane
White Lake, MI 48386
Location: **2230 Wigger Lane**
White Lake, MI 48386 identified as 12-14-231-003
Request: The applicant requests an extension of the approval period for variances granted on May 26, 2022.
9. ADJOURNMENT
 - A. Next Meeting Date: **January 26, 2023 Regular Meeting**

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

**WHITE LAKE TOWNSHIP
ZONING BOARD OF APPEALS
REGULAR MEETING
OCTOBER 27, 2022**

CALL TO ORDER

Chairperson Spencer called the meeting to order at 7:00 P.M. She then led the Pledge of Allegiance.

ROLL CALL

Present:

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

Others:

Justin Quagliata, Staff Planner
Hannah Micallef, Recording Secretary

10 members of the public present

APPROVAL OF AGENDA

Chairperson Spencer wanted to add "2023 Meeting Schedule" under Other Business.

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

APPROVAL OF MINUTES:

- a. Zoning Board of Appeals Regular Meeting of September 22nd, 2022.

MOVED by Member Seiber, SUPPORTED by Member Schillack, to approve the Zoning Board of Appeals Regular Meeting Minutes of September 22nd, 2022 as presented. The motion CARRIED with a voice vote: (5 yes votes).

CONTINUING BUSINESS:

- A. Applicant: Alan & Mary Peltier
9522 Cooley Lake Road
White Lake, MI 48386
Location: **9522 Cooley Lake Road**
White Lake, MI 48386 identified as 12-35-380-018

Request: The applicant requests to construct an accessory building, requiring a variance from Article 5.7.A, Accessory Buildings or Structures in Residential Districts. Variances from Article 3.1.6.E, R1-D Single Family Residential Front-Yard Setback, Side-Yard Setback, Minimum Lot Area, and Minimum Lot Width are also required to construct the accessory building and an addition on the dwelling unit.

Staff Planner Quagliata presented his staff report and noted the proposed garage was slightly reduced in size and shifted location to reduce some variances. The porch would still require variances.

Member Dehart asked where the unlawful fence was located on the property. Staff Planner Quagliata said the fence was on the south property line.

Alan Peltier, applicant, was present to speak on his case. He said the porch needed to be rebuilt as it was in poor condition. He wanted to rebuild the porch as a 3'x6' area. The shed would be removed when the garage was finished.

Staff Planner Quagliata asked the applicant where the main entrance of the house was located. Mr. Peltier said the front door would be at the proposed porch.

Member Powell stated the right-of-way on Cooley Lake Road was 160 feet wide, which was more than double the average right-of-way on most roads. The right-of-way at Cooley Lake Road was a practical difficulty for the applicant.

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

A. Practical Difficulty

- Member Dehart said the lot was nonconforming, and the road right-of-way was large. Member Schillack agreed.

B. Unique Situation

- Member Schillack said the road right-of-way made a unique situation. Chairperson Spencer agreed.

C. Not Self-Created

- Member Schillack said the porch was in line with the current house and therefore not self-created.

D. Substantial Justice

- Member Schillack said the applicant would be able to enjoy his porch similar to his neighbors.

E. Minimum Variance Necessary

- Member Powell said the porch was minimally sized. Member Schillack added the applicant reduced the size of the garage to reduce the amount of variances requested.

Member Schillack MOVED to approve the variances requested by Alan and Mary Peltier from Article 3.1.6.E of the Zoning Ordinance for Parcel Number 12-35-380-018, identified as 9522 Cooley Lake Road, in order to construct a covered porch addition that would encroach 6 feet into the required east front yard setback and 1.5 feet into the required south side yard setback. An 8-foot variance from the required lot width and a 2,439.17 square foot variance from the required lot area are also granted from Article 3.1.6.E. This approval will have the following conditions: •

- The Applicant shall obtain all necessary permits from the White Lake Township Building Department.
- An as-built survey shall be required to verify setbacks and lot coverage.
- The shed shall be removed from the property prior to the final building inspection.
- The unlawful fence/screen shall be made compliant or removed from the property prior to the issuance of a building permit.

Member Powell asked staff if the applicant could make the fence compliant with the zoning ordinance. Staff Planner Quagliata said the fence could be removed or the applicant could make it compliant.

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

NEW BUSINESS

- A. Applicant: Paul Peter
9474 Thames Boulevard
White Lake, MI 48386
Location: **9474 Thames Boulevard**
White Lake, MI 48386 identified as 12-14-203-007
Request: The applicant requests to construct an accessory building, requiring variances from Article 3.1.6.E, R1-D Single Family Residential Front-Yard setback, Maximum Lot Coverage, Minimum Lot Area, and Minimum Lot Width.

Chairperson Spencer noted for the record that 20 owners within 300 feet were notified. 0 letters were received in favor, 0 letters were received in opposition, and 0 letters were returned undeliverable from the U.S. Postal Service.

Staff Planner Quagliata presented his staff report.

Member Schillack asked staff if there was a setback required from a wellhead. Staff Planner Quagliata said there was not.

Member Seiber asked staff if the garage footings were inspected. Staff Planner Quagliata said no, the work was done without a permit and inspection would be made a requirement of the building permit if the Board approved the request.

Paul Peter, applicant, was present to speak on his case. He said he wanted to build a garage to store vehicles and to have extra storage. He said the reason the plans were drawn the way presented was because he believed the proposed structure needed to be 10 feet away from the wellhead.

Member Powell asked the applicant where the wellhead was located. The applicant said the wellhead was located by the walkway; it was a “wishing” well. Member Powell asked the applicant what would prevent him from moving the well to reduce the variances requested. The applicant said he could, but the well was a functioning well and it would be a waste of resources to drill a new one.

Chairperson Spencer opened the public hearing at 7:30 P.M. Seeing no public comment, she closed the public hearing at 7:30 P.M.

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

- A. Practical Difficulty
 - Member Schillack said the cul-de-sac right-of-way created a practical difficulty. Member Dehart added the lot was a nonconforming lot. Member Seiber said the lot was half the size of the zoning district standard.
 - Member Powell said there was room to shift the garage closer to the house.
- B. Unique Situation
 - Member Dehart said the lot was unique due to the cul-de-sac right-of-way affecting the front yard setback. Member Schillack agreed.
- C. Not Self-Created
 - Member Dehart said the applicant did not create the road right-of-way or the lot.
- D. Substantial Justice
 - Member Schillack said the applicant would have a garage similar to other houses in the area.
- E. Minimum Variance Necessary
 - Member Dehart said the size of the garage requested was minimal.

Member Schillack asked the applicant why concrete was poured prior to any permits being requested. The applicant said the concrete was poured in the summer in preparation of the proposed accessory building. A rat wall had not been poured yet.

Member Seiber MOVED to approve the variances requested by Paul Peter from Article 3.1.6.E of the Zoning Ordinance for Parcel Number 12-14-203-007, identified as 9474 Thames Boulevard, in order to construct a detached garage that would exceed the allowed lot coverage by 4.3% and encroach 21.2 feet into the required front yard setback. A 40- foot variance from the required lot width and 5,393 square foot variance from the required lot area are also granted from Article 3.1.6.E. This approval will have the following conditions:

- **The Applicant shall obtain all necessary permits from the White Lake Township Building Department.**
- **The second-story of the garage shall not be used as living space.**
- **No sanitary sewer service shall be extended to the garage.**
- **Architectural plans drawn to scale shall be submitted to meet requirements of the Building Official.**
- **The foundation including rat wall shall be made available for inspection by the Building Official.**
- **An as-built survey shall be required to verify setbacks and lot coverage.**

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

- B. Applicant: Adam Hufeld
10071 Elizabeth Lake Road
White Lake, MI 48386
Location: **10071 Elizabeth Lake Road**
White Lake, MI 48386 identified as 12-27-228-001
Request: The applicant requests to construct a deck, requiring variances from Article 3.10.A, Attached Decks, Porches, and Patios in Residential Districts. Variances from Article 5.12. Fences, Walls, and Other Protective Barriers. Fences, Walls and Other Protective Barriers are requested to install a privacy fence exceeding the allowed height and within the road right-of-way.

Chairperson Spencer noted for the record that 32 owners within 300 feet were notified. 0 letters were received in favor, 0 letters were received in opposition, and 0 letters were returned undeliverable from the U.S. Postal Service.

Staff Planner Quagliata presented his staff report.

Member Schillack asked staff if the damage on the existing deck was related to the State of Emergency declared after last summer's tornado that occurred in White Lake Township. Staff Planner Quagliata said not to his knowledge.

Member Powell asked staff if the road right-of-way was dedicated to the Oakland County Road Commission. Staff Planner Quagliata said he was unsure.

Adam Hufeld, applicant, was present to speak on his case. He said the fence came down during the tornado in 2021. Consumer's Energy was doing work near the house that resulted in the fence being torn down. He said he wanted the variance for the fence because of the bar across the street and for privacy purposes.

Member Powell asked the applicant why he was requesting a 6-foot front yard fence. Mr. Hufeld said it was mainly for privacy purposes.

Member Dehart asked if a 4-foot fence could be installed alongside 6-foot arborvitaes. Mr. Hufeld said that idea was not out of the question.

Chairperson Spencer opened the public hearing at 8:08 P.M. Seeing no public comment, she closed the public hearing at 8:08 P.M.

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

- A. Practical Difficulty
 - Member Seiber said the road right-of-way created a practical difficulty.
 - Member Powell said the elevation of the road created a practical difficulty.
- B. Unique Situation
 - Member Schillack said the road right-of-way was unique.
- C. Not Self-Created
 - The applicant did not create the road right-of-way.
- D. Substantial Justice
 - Member Schillack said the house was across the street of a commercial property, which other houses around were not.
 - Member Powell added the lot was not normal, and the lot was adjacent to a busy road.
- E. Minimum Variance Necessary
 - Member Schillack said no matter where the fence was placed, it would still be in the road right-of-way.

Member Dehart MOVED to approve the variances requested by Adam Hufeld from Articles 3.10.A and 5.12 of the Zoning Ordinance for Parcel Number 12-27-228-001, identified as 10071 Elizabeth Lake Road. A variance from Article 3.10.A is granted in order to construct a deck that would encroach into the road right-of-way (0-foot setback). A 2-foot variance to install a six-foot-tall privacy fence is also granted from Article 5.12. This approval will have the following conditions:

- The Applicant shall obtain all necessary permits from the White Lake Township Building Department.
- The Applicant shall obtain the required Road Commission for Oakland County (RCOC) permit and provide a copy of said permit to the Building Department prior to installation of the fence.

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

- C. Applicant: Todd McGeachy
539 Burgess Drive
White Lake, MI 48386
Location: **539 Burgess Drive**
White Lake, MI 48386 identified as 12-27-429-003
Request: The applicant requests to enlarge and alter a nonconforming structure (house) to construct a garage addition, requiring variances from Article 7.23.A, Nonconforming Structures and Article 3.1.5.E, R1-C Single Family Residential Minimum Lot Area.

Chairperson Spencer noted for the record that 24 owners within 300 feet were notified. 0 letters were received in favor, 0 letters were received in opposition, and 1 letter was returned undeliverable from the U.S. Postal Service.

Staff Planner Quagliata presented his staff report.

Member Schillack asked staff if the ordinance had restrictions about lines of vision. Staff Planner Quagliata said there was a 25-foot clear vision triangle at a corner.

Member Schillack stated the northeast wall of the proposed garage looked to be flush with the existing garage. Staff Planner Quagliata said the plans from the architect and surveyor varied, and the offset was not clear. The wall connecting the existing garage and the new garage would not be open.

Todd McGeachy, applicant, was present to speak on his case. He said he wanted to store his personal items in a garage.

Member Powell asked the applicant what the practical difficulty was for his case. The applicant said he wanted to store his possessions inside to protect them from the elements.

Member Schillack asked the applicant why he chose a second garage instead of expanding the current garage. Mr. McGeachy said it was an aesthetic choice on his part, but he was open to opening up the garage.

Chairperson Spencer opened the public hearing at 8:43 P.M. Seeing no public comment, she closed the public hearing at 8:43 P.M.

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

A. Practical Difficulty

- Member Schillack said he did not see a practical difficulty in relation to the property. There was an existing garage as well.
- Member Powell said the lot was sufficiently sized and there was already a garage there as well as a legal nonconforming house.

B. Unique Situation

- Chairperson Spencer said she did not find a unique situation.

C. Not Self-Created

- Member Dehart said the applicant created his own problem. Chairperson Spencer agreed.

D. Substantial Justice

- Member Dehart said the house already had an attached garage.

E. Minimum Variance Necessary

- Member Schillack said the variances would be expanding a nonconformity.

Member Seiber MOVED to deny the variances requested by Todd McGeachy for Parcel Number 12-27-429-003, identified as 539 Burgess Drive, due to the following reason(s):

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

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

OTHER BUSINESS

A. 2023 Meeting Dates

MOVED by Member Powell to approve the 2023 ZBA Meeting Dates. Member Dehart SUPPORTED and the motion CARRIED with a voice vote: (5 yes votes)

ADJOURNMENT

MOVED by Member Seiber, SUPPORTED by Member Schillack to adjourn the meeting at 8:57 P.M. The motion CARRIED with a voice vote (5 yes votes).

NEXT MEETING DATE: December 8, 2022 Regular Meeting

**WHITE LAKE TOWNSHIP
ZONING BOARD OF APPEALS**

**REPORT OF THE
COMMUNITY DEVELOPMENT DEPARTMENT**

TO: Zoning Board of Appeals
FROM: Justin Quagliata, Staff Planner
DATE: December 8, 2022

Agenda item: 7a

Appeal Date: December 8, 2022

Applicant: David and Jeanine Scalpone / Sterling Mintzer

Address: 11071 Beryl Drive
White Lake, MI 48386

Zoning: R1-D Single Family Residential

Location: 11071 Beryl Drive
White Lake, MI 48386

Property Description

The 0.158-acre (6,911 square feet) parcel identified as 11071 Beryl Drive is located on Bogie Lake and zoned R1-D (Single Family Residential). The submitted plot plan shows a proposed grinder pump and connection to the public sanitary sewer system.

Applicant's Proposal

David and Jeanine Scalpone / Sterling Mintzer, the applicants, are proposing to construct a two-story house and a single-story garage with attic space.

Planner's Report

On January 27, 2022 the Zoning Board of Appeals (ZBA) approved variance requests in order to construct an addition to a nonconforming structure. The following variances were previously granted:

- Enlarge and alter nonconforming house
 - 20-foot variance from the front yard setback
 - 3.6-foot variance from the east side yard setback
 - 5-foot variance from the west side yard setback (garage – with rebuild)
 - 7.68% or 525.2 square foot variance to exceed the maximum lot coverage
- 1,115% variance from the allowed value of improvements to nonconforming structure
- 2.5-foot variance from the accessory building to principal building setback
- 27-foot variance from the required lot width
- 5,161 square foot variance from the required lot area

On July 1, 2022 the Building Division received a building permit application (dated June 16, 2022). The type of improvement listed on the application was “alteration/repair” and “addition.” The work described by the builder on the application was “enlarge and alter existing structure (house) to construct first and second story addition.” A building permit was issued on July 13, 2022 for a residential renovation and addition. The building permit was subject to the ZBA approval and conditions from January 27, 2022. On October 24, 2022 the Assessing Department informed the Building Division the house and garage were demolished. A demo permit was not requested from the Township. With the nonconforming structure demolished, the previously granted variances (with the exception of the lot area and lot width variances) are void. On October 26, 2022 the Planning Division informed the property owner the building permit issued by the Building Division and variances granted by the ZBA were for a residential renovation and addition, not for demolition of the existing house and construction of a new single-family dwelling. In order to construct a new house on the property, variances are being requested from the ZBA.

The submitted floor plan indicates the first-story would be 1,365 square feet and the second-story would be 1,274 square feet (total 2,639 square feet). The size of the proposed house (both floors) is the same as previously approved with the addition. With the demolition of the previous building, the applicant shifted the proposed house west to achieve a 1.9-foot greater setback than previously approved (6.4-foot setback). An 8.3-foot east side yard setback is proposed. Therefore, a 1.7-foot variance is requested.

Article 5, Section 7.A of the zoning ordinance states no detached garage may be located closer than 10 feet to any principal structure or building unless it conforms to all regulations of the ordinance applicable to principal structures or buildings. Based on the submitted plot plan, the 24 foot by 19 foot (456 square feet) two-car garage is located 6.1 feet from the west side lot line. However, the submitted architectural plan shows the garage would be 24 feet by 18.5 feet (444 square feet) in size. The garage would be part of the house (approximately eight feet between buildings) and therefore subject to the 10-foot side yard setback requirement in the R1-D zoning district. A 3.9-foot variance is being requested. As the garage is located 10.6 feet from the front property line, a 19.4-foot variance is requested to encroach into the 30-foot front yard setback.

Additionally, the proposed lot coverage is 26.4% (1,826 square feet), which is 6.4% (443.8 square feet) beyond the 20% maximum lot coverage allowed (1,382.2 square feet). The plot plan shows a shed and concrete pad in the rear yard to be demolished and removed. The shed has been removed.

The requested variances are listed in the following table.

Variance #	Ordinance Section	Subject	Standard	Request	Result
1	Article 3.1.6.E	Front yard setback	30 feet	19.4 feet	10.6 feet
2	Article 3.1.6.E	Side yard setback	10 feet	3.9 feet	6.1 feet (garage – west side)
3	Article 3.1.6.E	Side yard setback	10 feet	1.7 feet	8.3 feet (house – east side)
4	Article 3.1.6.E	Maximum lot coverage	20% (1,382.2 square feet)	6.4% (443.8 square feet)	26.4% (1,826 square feet)
5	Article 5.7.A	Accessory building setback	10 feet	2 feet	8 feet (from house)

Zoning Board of Appeals Options:

Approval: I move to approve the variances requested by David and Jeanine Scalpone / Sterling Mintzer from Articles 3.1.6.E and 5.7.A of the Zoning Ordinance for Parcel Number 12-33-278-010, identified as 11071 Beryl Drive, in order to construct a two-story house and a single-story garage. Variances from Article 3.1.6.E are granted to allow: the house to encroach 1.7 feet into the required setback from the east side lot line; to allow the garage to encroach 3.9 feet into the required setback from the west side lot and 19.4 feet into the required setback from the front lot line; and to exceed the allowed lot coverage by 6.4%. A 2-foot variance from Article 5.7.A is also granted to allow the garage to encroach into the required setback from the house. This approval will have the following conditions:

- The Applicant shall obtain all necessary permits from the White Lake Township Building Department.
- In no event shall the projection of any roof overhang be closer than five (5) feet to the east and west side lot lines.
- The plans shall be revised for consistency relative to the size of the garage.
- No mechanical units, including HVAC system or generator, shall be placed in the side yard setbacks or the front yard. The plot plan shall be revised to show the proposed location of mechanical units.
- 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 David and Jeanine Scalpone / Sterling Mintzer for Parcel Number 12-33-278-010, identified as 11071 Beryl Drive, due to the following reason(s):

Postpone: I move to postpone the appeal of David and Jeanine Scalpone / Sterling Mintzer to a date certain or other triggering mechanism for Parcel Number 12-33-278-010, identified as 11071 Beryl Drive, to consider comments stated during this hearing.

Attachments:

1. Variance application dated November 10, 2022.
2. Plot plan dated November 8, 2022.
3. Architectural plans dated September 20, 2021 (revision date November 9, 2022).
4. Building permit application dated June 16, 2022.
5. Building permit issued July 13, 2022.
6. Minutes of the January 27, 2022 Zoning Board of Appeals meeting.

7.37 STANDARDS

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

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

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

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

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: David and Jeanine Scalpone / Sterling Mintzer PHONE: 248-910-2481

ADDRESS: 11071 Beryl Dr

APPLICANT'S EMAIL ADDRESS: Dscalpone@msn.com

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

ADDRESS OF AFFECTED PROPERTY: 11071 Beryl Dr PARCEL # 12 - 33-278-010

CURRENT ZONING: R1-D PARCEL SIZE: 45'x143'

STATE REQUESTED VARIANCE AND ORDINANCE SECTION: Section 7.27 B "Nonconforming lot"

VALUE OF IMPROVEMENT: \$ 650,000 SEV OF EXISITING STRUCTURE: \$ _____

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

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

APPLICANT'S SIGNATURE: *David Scalpone* DATE: 10/10/22

RECEIVED

NOV 10 2022

COMMUNITY
DEVELOPMENT
DEPARTMENT

NO.	DATE	DESCRIPTION
1	11/05/2022	DATE BY
2	07/12/2022	DATE BY
3	11/05/2022	DATE BY

NO.	DATE	DESCRIPTION
1	11/30/2021	DATE BY
2	07/12/2022	DATE BY
3	11/05/2022	DATE BY

NO.	DATE	DESCRIPTION
1	11/30/2021	DATE BY
2	07/12/2022	DATE BY
3	11/05/2022	DATE BY

SOIL EROSION AND SEDIMENTATION CONTROL OPERATION TIME AND SCHEDULE

CONSTRUCTION SEQUENCE	NOV 2021	DEC 2021
TEMPORARY EROSION CONTROL MEASURES	█	
STRIP & STOCKPILE TOPSOIL / ROUGH GRADE	█	
INSTALL ALL OTHER UTILITIES	█	
SITE CONSTRUCTION & PAVEMENT	█	
PERMANENT EROSION CONTROL MEASURES	█	
FINISH GRADING	█	
LANDSCAPING	█	

DISTURBED AREA = 0.14+ ACRES

MAP UNIT SYMBOL	MAP UNIT NAME
12	BROOKSTON AND COLWOOD LOAMS

SITE DATA

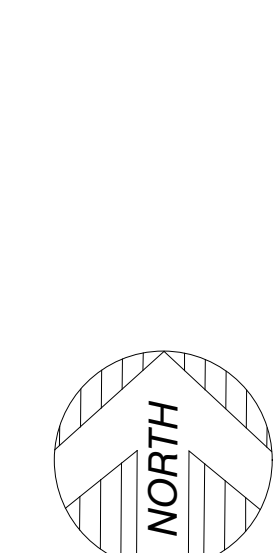
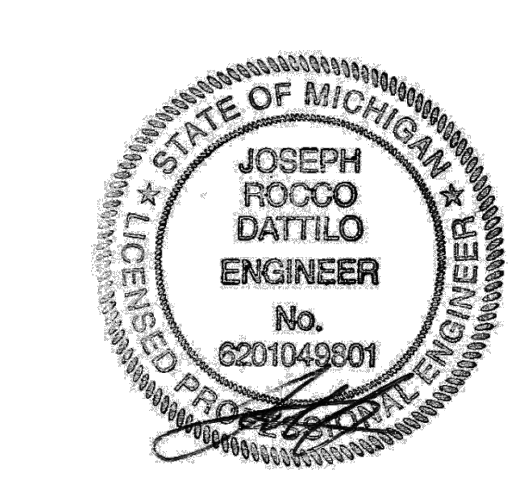
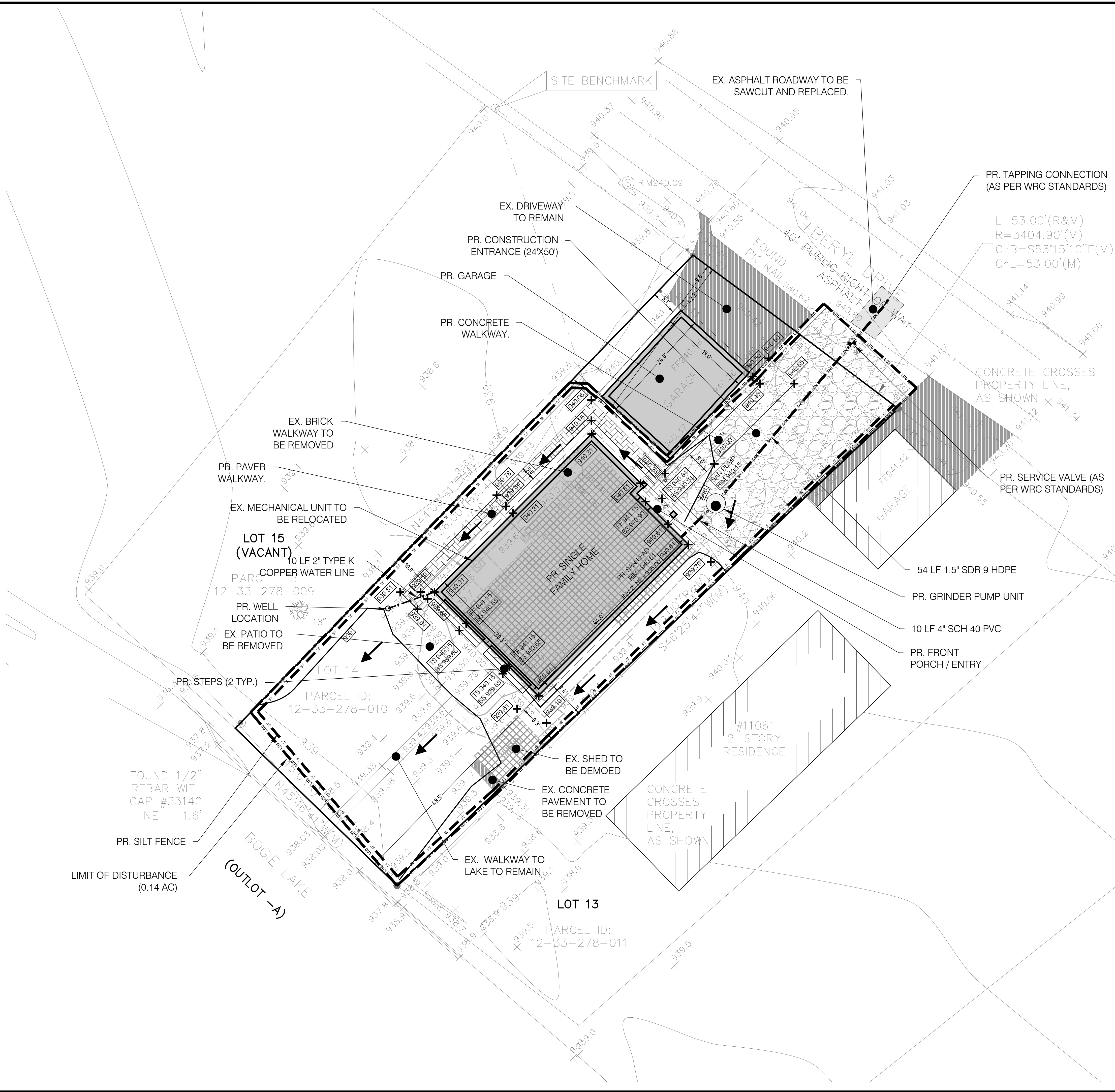
TOTAL BUILDING COVERAGE: 1,826 SF / 6,911 SF = 26.4% BUILDING COVERAGE

SITE LEGEND

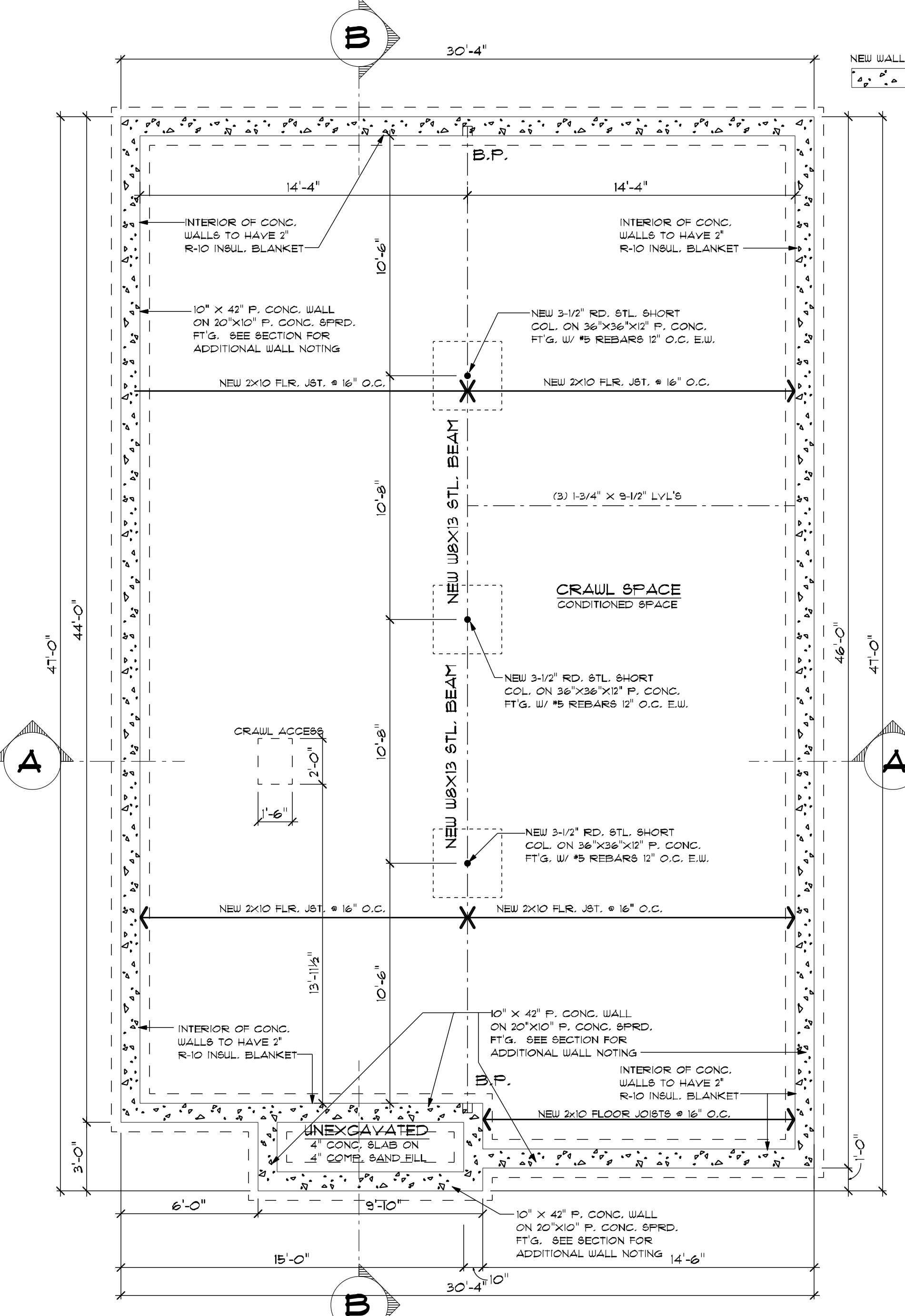
- PROPERTY LINE
- PROPOSED DRIVEWAY
- ▭ PROPOSED BUILDING
- ▨ PROPOSED CONCRETE PAVEMENT
- - - SETBACK LINE
- LDD — LIMIT OF DISTURBANCE
- SF — PROPOSED SILT FENCE

SITE NOTES

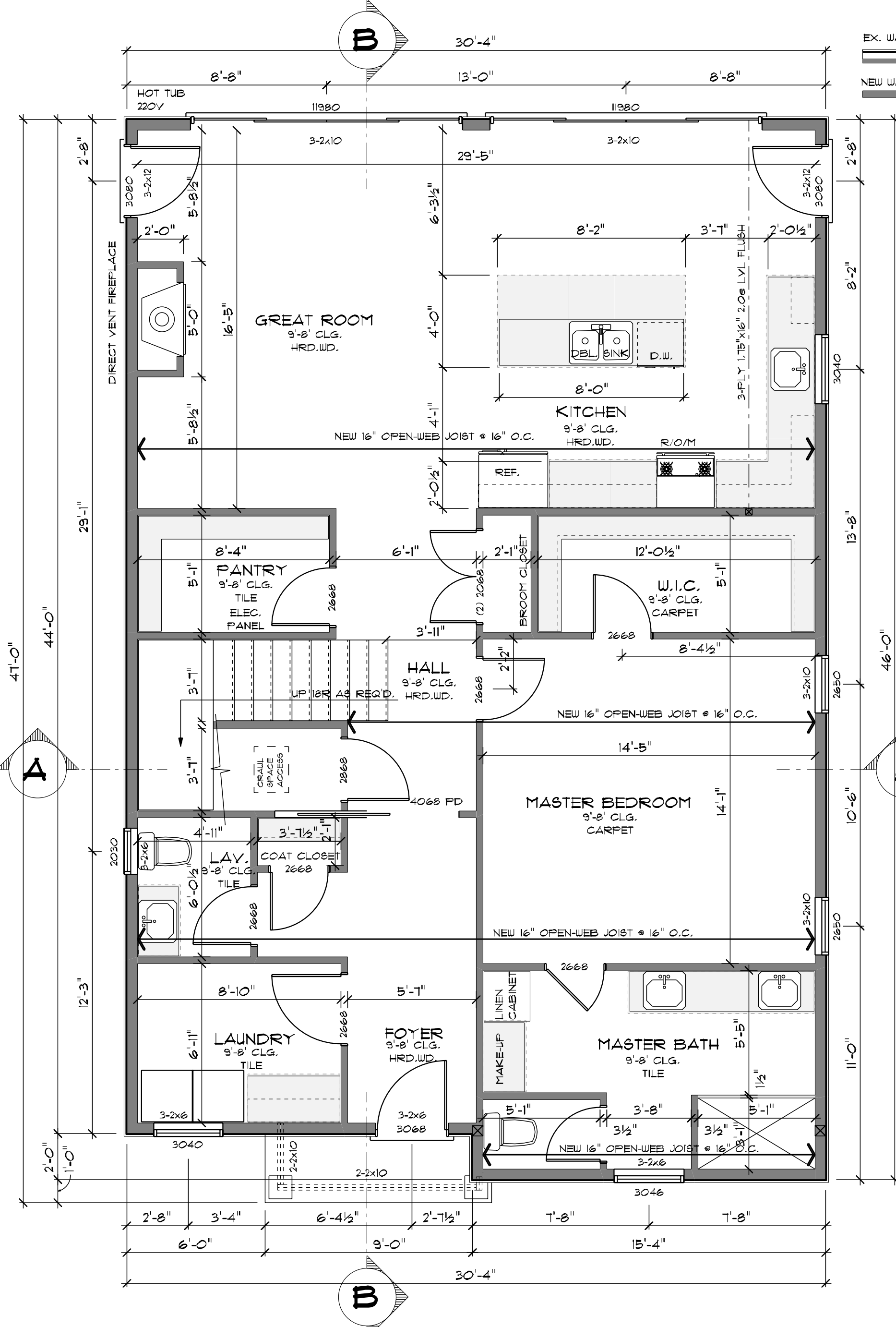
- THE CONTRACTOR SHALL VERIFY AND FAMILIARIZE THEMSELVES WITH THE EXISTING SITE CONDITIONS AND THE PROPOSED SCOPE OF WORK (INCLUDING DIMENSIONS, LAYOUT, ETC) PRIOR TO INITIATING THE IMPROVEMENTS IDENTIFIED WITHIN THESE DOCUMENTS SHOULD ANY DISCREPANCY BE FOUND BETWEEN THE EXISTING SITE CONDITIONS AND THE PROPOSED WORK THE CONTRACTOR SHALL NOTIFY KEM-TEC AND ASSOCIATES, PRIOR TO THE START OF CONSTRUCTION.
- THE CONTRACTOR SHALL OBTAIN ALL NECESSARY PERMITS AND ENSURE THAT ALL REQUIRED APPROVALS HAVE BEEN OBTAINED PRIOR TO THE START OF CONSTRUCTION. COPIES OF ALL REQUIRED PERMITS AND APPROVALS SHALL BE KEPT ON SITE AT ALL TIMES DURING CONSTRUCTION.
- ALL CONTRACTORS WILL TO THE FULLEST EXTENT PERMITTED BY LAW, INDEMNIFY AND HOLD HARMLESS KEM-TEC AND ASSOCIATES, AND ITS SUB-CONSULTANTS FROM AND AGAINST ANY DAMAGES AND LIABILITIES INCLUDING ATTORNEY'S FEES ARISING OUT OF CLAIMS BY EMPLOYEES OF THE CONTRACTOR IN ADDITION TO CLAIMS CONNECTED TO THE PROJECT AS A RESULT OF NOT CARRYING THE PROPER INSURANCE FOR WORKERS COMPENSATION, LIABILITY INSURANCE, AND LIMITS OF COMMERCIAL GENERAL LIABILITY INSURANCE.
- THE CONTRACTOR SHALL NOT DEVIATE FROM THE PROPOSED IMPROVEMENTS IDENTIFIED WITHIN THIS PLAN SET UNLESS APPROVAL IS PROVIDED IN WRITING BY KEM-TEC AND ASSOCIATES.
- THE CONTRACTOR IS RESPONSIBLE TO DETERMINE THE MEANS AND METHODS OF CONSTRUCTION.
- THE CONTRACTOR SHALL NOT PERFORM ANY WORK OR CAUSE DISTURBANCE ON A PRIVATE PROPERTY NOT CONTROLLED BY THE PERSON OR ENTITY WHO HAS AUTHORIZED THE WORK WITHOUT PRIOR WRITTEN CONSENT FROM THE OWNER OF THE PRIVATE PROPERTY.
- THE CONTRACTOR IS RESPONSIBLE TO RESTORE ANY DAMAGED OR UNDERMINED STRUCTURE OR SITE FEATURE THAT IS IDENTIFIED TO REMAIN ON THE PLAN SET. ALL REPAIRS SHALL USE NEW MATERIALS TO RESTORE THE FEATURE TO ITS EXISTING CONDITION AT THE CONTRACTOR'S EXPENSE.
- CONTRACTOR IS RESPONSIBLE TO PROVIDE THE APPROPRIATE SHOP DRAWINGS, PRODUCT DATA, AND OTHER REQUIRED SUBMITTALS FOR REVIEW. KEM-TEC AND ASSOCIATES WILL REVIEW THE SUBMITTALS IN ACCORDANCE WITH THE DESIGN INTENT AS REFLECTED WITHIN THE PLAN SET.
- THE CONTRACTOR IS REQUIRED TO PERFORM ALL WORK IN THE PUBLIC RIGHT-OF-WAY IN ACCORDANCE WITH THE APPROPRIATE GOVERNING AUTHORITY AND SHALL BE RESPONSIBLE FOR THE PROCUREMENT OF STREET OPENING PERMITS.
- THE CONTRACTOR IS REQUIRED TO RETAIN AN OSHA CERTIFIED SAFETY INSPECTOR TO BE PRESENT ON SITE AT ALL TIMES DURING CONSTRUCTION & DEMOLITION ACTIVITIES.
- SHOULD AN EMPLOYEE OF KEM-TEC AND ASSOCIATES, BE PRESENT ON SITE AT ANY TIME DURING CONSTRUCTION, IT DOES NOT RELIEVE THE CONTRACTOR OF ANY OF THE RESPONSIBILITIES AND REQUIREMENTS LISTED IN THE NOTES WITHIN THIS PLAN SET.
- IN NO WAY SHALL SURFACE RUNOFF BE DIRECTED SO AS TO ADVERSELY IMPACT ADJACENT PROPERTIES WITH A FLOODING CONDITION. THE GRADING PLAN SHOULD CONTINUE AS FAR AS STORM SEWER OUTLET OR OTHER NATURAL POINT OF DISCHARGE TO ASSURE PROPER CONTROL OF SURFACE RUNOFF. SURFACE RUNOFF SHALL BE DIVERTED TO A STORM SEWER OR OTHER APPROVED POINT OF COLLECTION SO AS NOT TO CREATE A FLOODING CONDITION.
- ALL CONSTRUCTION SITES ARE REQUIRED TO BE MAINTAINED IN A SAFE CONDITION AND TO BE PROTECTED FROM UNAUTHORIZED ENTRY. ALL EXCAVATIONS EXCEEDING 24 INCHES IN DEPTH, SUCH AS FOR BASEMENTS, CRAWL SPACES, POOLS, AND SPAS MUST BE SECURED THROUGH THE USE OF A 4' HIGH FENCE. CONSTRUCTION TYPE FENCING WILL BE ALLOWED FOR A PERIOD NOT TO EXCEED 30 DAYS. AT SUCH TIME, SHOULD BE PERMITTED WORK STILL PHYSICALLY BE UNABLE TO BE PROTECTED AND SECURED, A CHAIN LINK FENCE IS REQUIRED TO BE INSTALLED AND MUST REMAIN IN PLACE UNTIL ITS REMOVAL HAS BEEN AUTHORIZED BY THE BUILDING OFFICIAL. 2015 MICHIGAN RESIDENTIAL CODE - R 104.1 & 2015 - MBC CHAPTER 33.
- SILT FENCE LOCATION, INSTALLATION DETAILS AND TIMING SEQUENCE OF RE-ESTABLISHMENT OF PERMANENT VEGETATION REQUIRED PRIOR TO FINAL BUILDING INSPECTION.
- EX. UTILITIES FROM THE HOME ARE TO REMAIN AND BE REUTILIZED AND BE PROTECTED THROUGHOUT CONSTRUCTION.



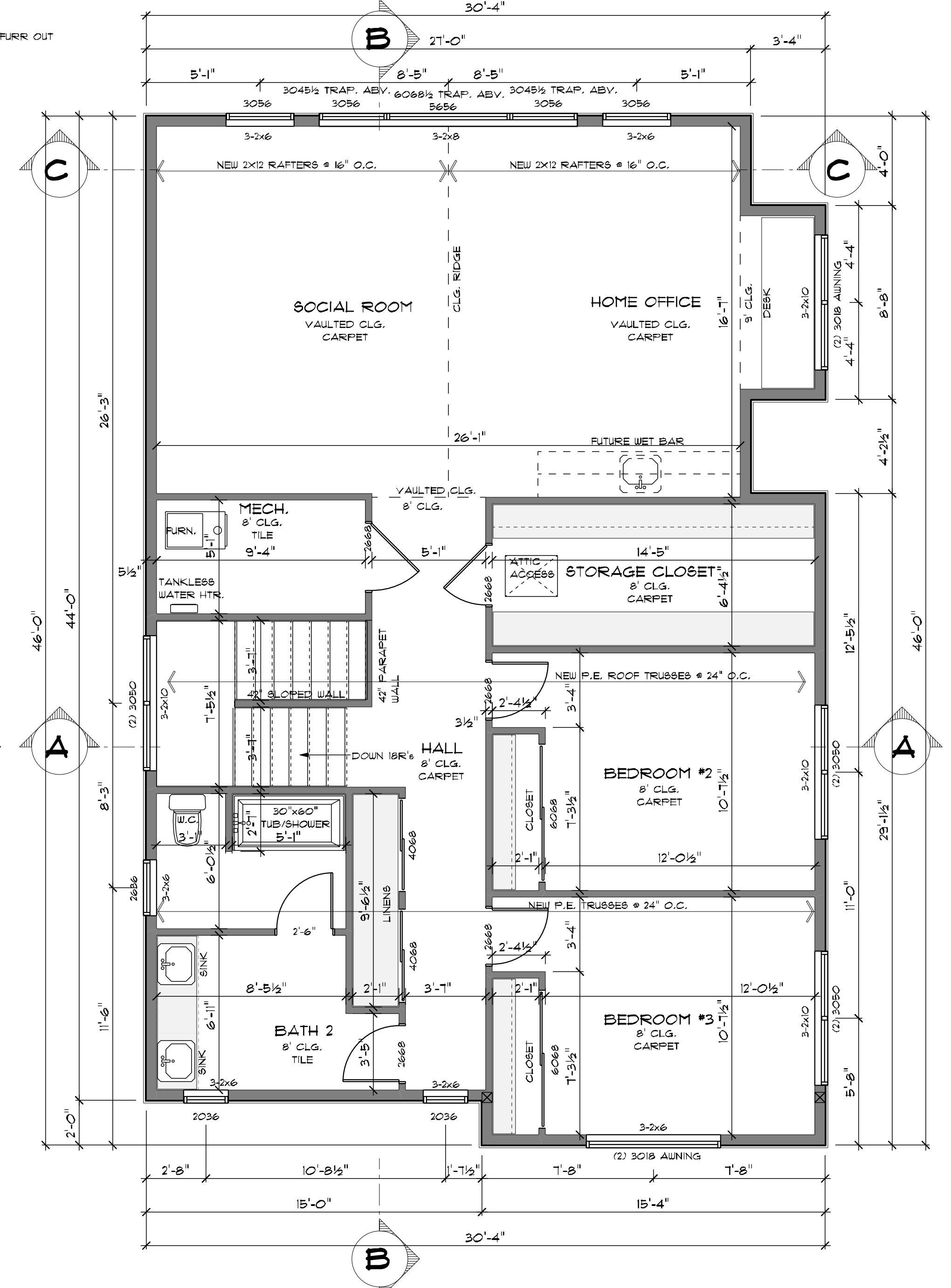
811
 Know what's below.
 Call before you dig.
PLOT PLAN
 SCALE: 1" = 10'



NEW FOUNDATION PLAN
SCALE: 1/4" = 1'-0"



NEW MAIN FLOOR PLAN
SCALE: 1/4" = 1'-0"
MAIN FLOOR SQ./FT. = 1365.00



NEW UPPER FLOOR PLAN
SCALE: 1/4" = 1'-0"
UPPER FLOOR SQ./FT. = 1274.00

GENERAL CONDITIONS

1. PROJECT CODES
The architectural plans and specifications are intended to be consistent with the following codes, as they may be applicable (collectively, the "Project Codes").
2015 INTERNATIONAL RESIDENTIAL CODE (IRC)
FOR SINGLE FAMILY DWELLINGS

2. BUILDING OFFICIAL
The Building Official is hereby requested (a) to confirm that these plans are consistent with the applicable Project Codes and (b) to return a signed set of plans to the Applicant upon issuance of any permit, and (c) to promptly notify the Architect and the Applicant if these plans and specifications are not consistent with the applicable Project Codes.

3. SCOPE
It is the scope of the architectural plans and specifications to incorporate the full text of the applicable Project Codes and to otherwise detail every condition and/or aspect thereof. All persons, entities, contractors, trades, product suppliers, or others using and/or relying on these plans and specifications are encouraged to review and familiarize themselves with the Project Codes, and all such parties are directed to resolve any code question regarding these plans in favor of the applicable Project Codes.

4. NOTES AND SPECIFICATIONS
All notes and specifications contained herein, on the specifications sheet N.O.O. and/or on any other individual sheet, shall apply to all the architectural sheets listed in the index, unless otherwise noted.

5. CONFLICTING NOTATIONS
If any general condition conflicts with any detail notation or note on a plan or elevation, then the notations shall apply. Confine all conflict resolutions to the site on-site supervisor and the Architect.

6. SAFETY REQUIREMENTS
The code requirements of 11.03.04, 03.04.01, and 11.02.02 shall be determined and provided by the Building Official and/or the General Contractor. These safety code requirements shall be enforced by the On-site Supervisor and shall apply to all persons entering and/or working on the site. The Architect and the Architect's Consultant assume no responsibility for the absence, presence, or adequacy of any safety program, procedure, or equipment.

7. TEMPORARY STRUCTURAL BRACING
Temporary bracing, shoring, and/or tiebacks of the structure shall be determined, provided, and installed by the contractor, sub-contractor and/or the General Contractor and shall be monitored by the On-site Supervisor. The Architect and the Architect's Consultant assume no responsibility for the absence, presence, or adequacy of any temporary bracing, shoring, and/or tiebacks. All existing structures and/or new work in place that may be affected by the contractor shall be adequately protected and/or braced as necessary to prevent any damage or settlement.

8. CONSULTANT DOCUMENTATION
The architectural plans and specifications may be supplemented with additional documentation provided by sub-contractors and/or the Owner's consultants. Any additional consultant documentation, including the "Consultant Documentation" shall be the sole responsibility of the consultant preparing the documentation and when professional certification of performance criteria of materials, systems or equipment is required, the Architect shall be entitled to rely upon the accuracy, completeness, and authenticity of such calculations and certifications.

The Architect may review and approve or take other appropriate action upon submittals such as Shop Drawings, Product Data and Samples, but only for the limited purpose of checking for conformance with information given and the design concepts expressed in the architectural plans and specifications. The Architect's review of such submittals is not conducted for the purpose of determining the accuracy and completeness of other details such as dimensions and quantities, or for substantiating instructions for installation or performance of equipment or systems, all of which remain the responsibility of the Contractor. The Architect's approval of a submittal shall not constitute approval of an assembly of an entire system or equipment nor shall it constitute approval of any safety practices, construction means, methods, techniques, sequences or procedures.

BIDDING SPECIFICATIONS

1. ARCHITECTURAL DRAWINGS
The architectural drawings are intended to show the general scope and arrangement of system design features, and note the extent of the work and any special requirements. The drawings are not intended to be used for measurements or estimating material quantities, use figured dimensions only. The drawings are not intended to replace other shop drawings, manufacturer's installation instructions, and on-site supervision, or as required and/or referenced herein. In the case of an inconsistency between drawings and specifications, or between one and details, the greater quantity and better quality shall be used. The architectural drawings contemplate a finished work of the character and quality described, implied or reasonably inferred by them. All sub-bidders are responsible for verifying all applicable requirements/conditions, and to coordinate with the work of others with the Client, and/or the Prime Bidder, as may be applicable. All sub-bidders agree that, prior to submittal, or the failure to include repeated details and/or notations provided in one area and not in another, shall not be cause for a claim for additional charges. Correspondence regarding questions and interpretations, from sub-bidders shall be in writing and directed through the Client and/or the Prime Bidder, as may be applicable, to the Client, Architect and the Architect's Consultant. Any discrepancies, conflicts, and/or errors or omissions in the drawings and specifications shall be reported to the Prime Bidder and Client in order to notify the Architect, Architect, shall at its sole discretion, determine if an addendum need be issued.

All orders and sub-contractors shall be responsible for providing a firm bid that includes sufficient allowance to make their portion of the work complete and operate, fitting with the work of other contractors, and the Client and in compliance with the Performance Requirements below.

2. PERFORMANCE REQUIREMENTS
All work shall be completed and installed in accordance with the applicable Project Codes and/or the latest accepted Residential Construction Performance Guidelines by the NAHB as applicable.

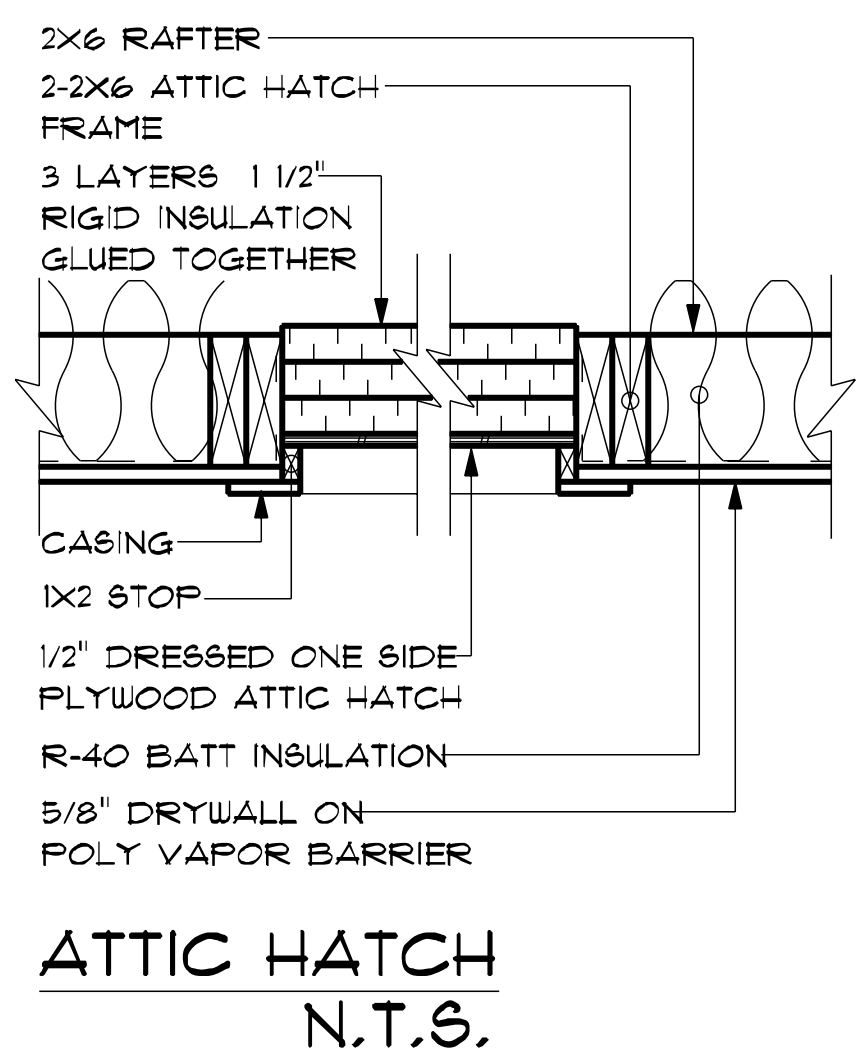
All work and materials provided shall be designed and/or approved as may be applicable for the intended purpose and location of installation and shall accommodate without damage or failure, the varying conditions and seasonal temperature cycles of the area. Moisture entering or condensation occurring in any material and/or assembly shall be directed to the exterior.

3. QUALITY ASSURANCE
Materials shall be obtained from reputable and experienced manufacturers of products that provide services to the Client. Sample materials shall be submitted to the Client, or where this is not possible, to an independent, third party, in color, appearance, and installation, products shall be coordinated through a single source manufacturer unless practical. Client reserves the right to accept or reject any proposed product and/or bidder and request a specific product or manufacturer to be used.

All products shall meet or exceed the requirements and standards of the Project Codes and Performance Guidelines noted herein.

4. PRODUCT HANDLING
The delivery, storage, and handling of all products and/or materials shall be coordinated through the Client and the Client's General Contractor and shall be the responsibility of the sub-contractor whose otherwise stated in the bid.

5. SUBMITTALS
Sub-bidders shall provide the following submittals as applicable to the product's materials) and/or systems) included in the bid:
a. Product Data: Including material descriptions, dimensions, and cross-sections.
b. Shop drawings showing layout, location of product/assembly, dimensions, penetration, trim, supporting structures, and installation details.
c. Color samples for selection and approval by Owner and Architect.
d. Samples and be similar in size or larger pieces showing actual product, color and finish.
e. Certificates demonstrating production complies with applicable Project Codes and requirements.
f. Copy of the manufacturer's installation instructions.
g. Copy of warranty as noted above.
h. ACCURACY REQUIREMENTS
The Client and Prime Bidder may include additional requirements, terms and conditions, which shall be in addition to those herein, however in no case shall the requirements noted herein be reduced or any sub-bidder be relieved of providing any of the minimums required herein.



GENERAL NOTES - MICHIGAN RESIDENTIAL CODE - 2015

Contract Design Office for meaning of any symbol or abbreviation not defined.
The Design Office shall determine governing information if a conflict should occur between various contract documents. Although every precaution has been taken in the preparation of these drawings, the Design Office cannot guarantee against human error and omission. Therefore, the contractor should verify and use figured dimensions only. Do not scale drawings for construction. Any conflicts or questions that arise due to these drawings should be brought to the attention of the Design Office prior to construction.

The contractor shall verify all dimensions, elevations, materials, and conditions at the job site and shall notify the Design Office of any discrepancies, omissions, and/or conflicts before proceeding with the work.

All work shall be performed in a thoroughly first class and workmanlike manner by mechanics skilled in their respective trades, and shall conform to the standards of recognized trade associations. The contractor shall visit the site and check all existing conditions prior to commencing his work. The contractor shall be responsible for the coordination of work by all trades involved in the project.

The contractor shall secure and pay for all necessary permits and fees required in the performance of his work.

Unless noted otherwise, (U.N.O.) Dimensions are from finish face to finish face. Nominal thickness dimensions are used for masonry, interior frame partition thickness to be 4-1/2" (2 X 4 wood stud) U.N.O.

Steel shall be domestic A36M-36.

Dimensional framing lumber shall be No.1 Douglas Fir-Larch (North) surfaced dry or No.2 Hem-Fir (North) surfaced dry or No.2 Southern Pine kiln dried. Minimum extreme fiber bending stress of 1200 P.S.I.

Structural Laminated Wood Beams (GLULAMs) shall be 24F Southern Pine with extreme fiber bending stress of 2400 P.S.I.

MICRO-LAM Beams shall have an extreme fiber bending stress of 2800 P.S.I. as manufactured by "TRUSS JOIST CORP." or equal.

Interior finishes shall be determined by owner or his representative.

RIC6.1.4 TRUSS DESIGN DATA. As an alternative to the submission of truss design drawings, the truss design data sheet may be provided to the building official as part of the construction documents at the time of application. Truss design drawings shall be submitted to the building official prior to truss installation as required by Section R802.10.1

R301.5 Live load. The minimum uniformly distributed live load shall be as provide in Table R301.5.

Attics without storage (b): 10 pounds per square foot. Table R301.5

b. Attics without storage (a): where the maximum clear height between joist and rafter is less than 42 inches, or where there are two or more adjacent trusses with the same web configuration capable of containing a rectangle 42 inches high by 2 feet wide, or greater, located within the plane of the truss. For attics without storage, this live load need not be assumed to act concurrently with any other live load requirements.

g. For attics with limited storage and constructed with trusses, this live load need be applied only to those portions of the bottom chord where there are two or more adjacent trusses with the same web configuration capable of containing a rectangle 42 inches high or greater, by 2 feet wide or greater, located within the plane of the truss. The rectangle shall fit between the top of the bottom chord and the bottom of any other truss member, provided that each of the following criteria is met:
1. The attic area is accessible by a pull-down stairway or framed opening in accordance with Section R807.1, and
2. The truss has a bottom chord pitch less than 2/12.

h. Attic spaces served by a fixed stair shall be designed to support the minimum live load specified for sleeping rooms.

R303.1 Ventilation required minimum openable area to the outdoors shall be 4% of the floor area being ventilated.
R305. Minimum ceiling height 7'-0".

R308 GLAZING All windows in which the bottom edge is less than 18" above the floor shall be tempered safety glass as specified in section R308.

R308.4 Hazardous Locations. Safety glazing in doors and adjacent to doors within the same wall space. Safety glazing in fixed panels more than 9 square feet with the lowest edge less than 18" to floor. Safety glass in walls enclosing bathrooms, showers and whirlpool.

R308.6 Safety glazing in skylights, roofs and sloped glazing. Skylights and sloped glazing shall comply with the following tables: R308.6.1 through R308.6.5.

EMERGENCY ESCAPE AND RESCUE OPENINGS
R310.1 Emergency escape and rescue required. Basements with habitable space and every sleeping room shall have at least one operable emergency escape and rescue opening. Where basements contain one or more sleeping rooms, emergency egress and rescue openings shall be required in each sleeping room, but shall not be required in adjoining areas of the basement, where emergency escape and rescue openings are provided they shall have a minimum clear height of not more than 44 inches above the floor, where a door opening having a threshold below the adjacent ground elevation serves as an emergency escape and rescue opening and is provided with a bulkhead enclosure the bulkhead enclosure shall comply with Section R310.3. The net clear opening dimensions required by this section shall be obtained by the normal operation of the emergency escape and rescue opening from the inside. Emergency escape and rescue openings with a finished sill height below the adjacent ground elevation shall be provided with a window well in accordance with Section R310.2.

R310.1.1 Minimum opening area. All emergency escape and rescue openings shall have a minimum net clear opening of 5.7 square feet. Exception: Grade floor openings shall have a minimum net clear opening of 5 square feet.
R310.1.2 Minimum opening height. The minimum net clear opening height shall be 24".
R310.1.3 Minimum opening width. The minimum net clear opening width shall be 20".
R310.1.4 Operational constraints. Emergency escape and rescue openings shall be operational from the inside of the room without the use of keys, tools or special knowledge.
R310.2 Window wells. The minimum horizontal area of the window well shall be 9 square feet, with a minimum horizontal projection and width of 36 inches. The area of the window well shall allow the emergency escape and rescue opening to be fully opened. Exception: The ladder or steps required by Section R310.2.1 shall be permitted to encroach a maximum of 6" into the required window well with a vertical depth greater than 44 inches shall be equipped with a permanently affixed ladder or steps within the window in the fully opened position. Ladders or steps required by this section shall not be required to comply with Sections R311.4 and R311.6. Ladders or rungs shall have an inside width of at least 12", shall project at least 3" from the wall and shall be spaced not more than 18" on center vertically for the full height of the window well.
R310.3 Bulkhead enclosures. Bulkhead enclosures shall provide direct access to the basement. The bulkhead enclosure with the door panels in the fully open position shall provide the minimum net clear opening required by Section R310.1.1. Bulkhead enclosures shall also comply with Section R311.5.9.2.
R310.4 Safety grilles, covers and screens. Bars, grilles, covers and screens or similar devices are permitted to be placed over emergency escape and rescue openings, bulkhead enclosures, or window wells that serve such openings, provided the minimum net clear opening size complies with Sections R310.1.1 to R310.1.3, and such device shall be releasable or removable from the inside without the use of a key, tool or force greater than that which is required for normal operation of the escape and rescue opening.

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3203 WHITFIELD DR., WATERFORD, MI. 48393
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HOUSE PLAN:
DESIGNING WHERE PEOPLE LIVE, WORK AND PLAY!

SCALPONE RESIDENCE

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TOTAL SQ.FT.: (HOUSE BILL 5818)
2639.00

UN-HABITABLE SQ.FT.
1153.00

TOTAL HABITABLE SQ.FT.
1486.00

PROJECT NO.:
1271-2021

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

ORIGINAL PLAN SET DATE:
09-20-2021

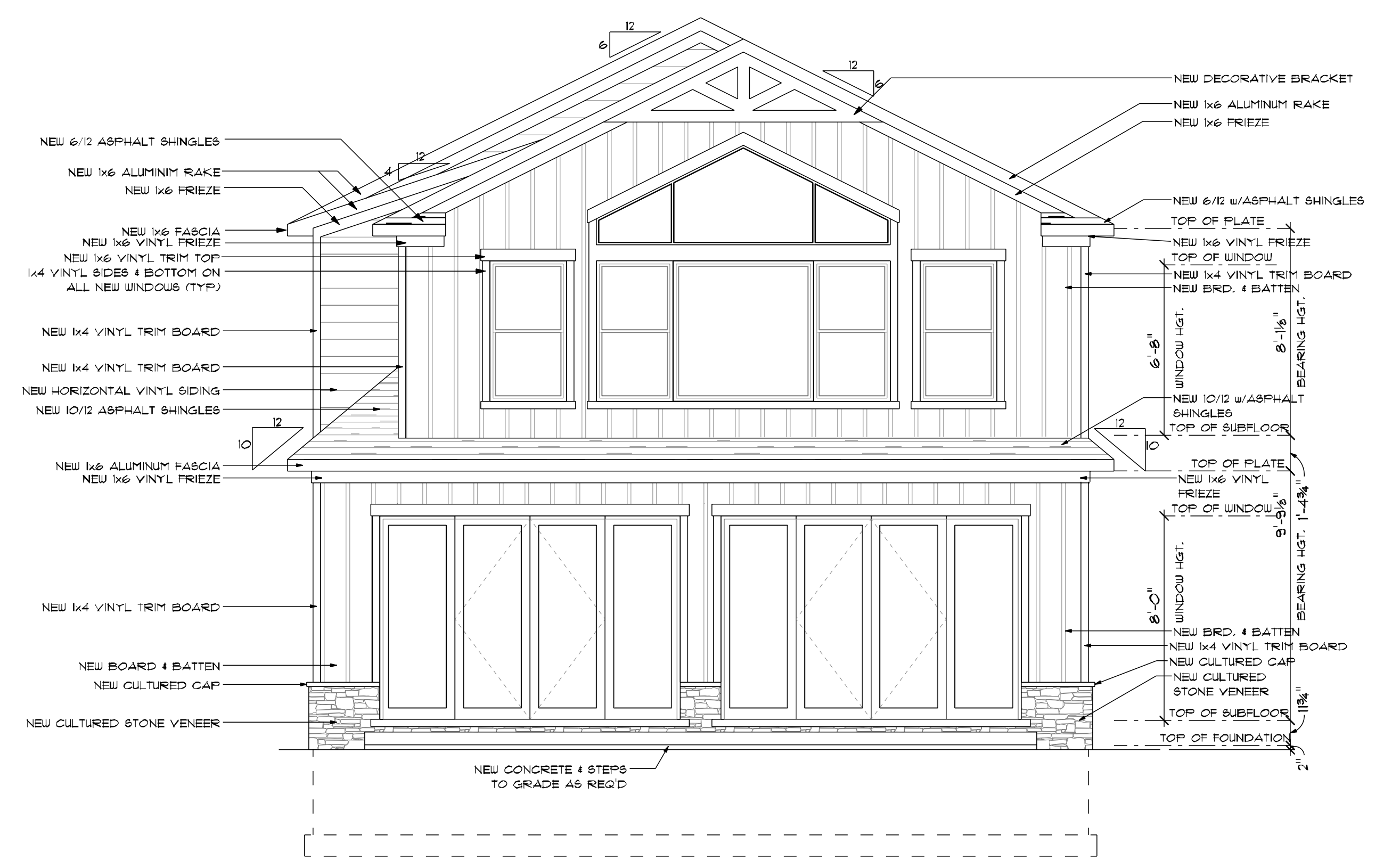
REVISION PLAN SET DATE:
11/9/2022

SHEET NO.:
A-2

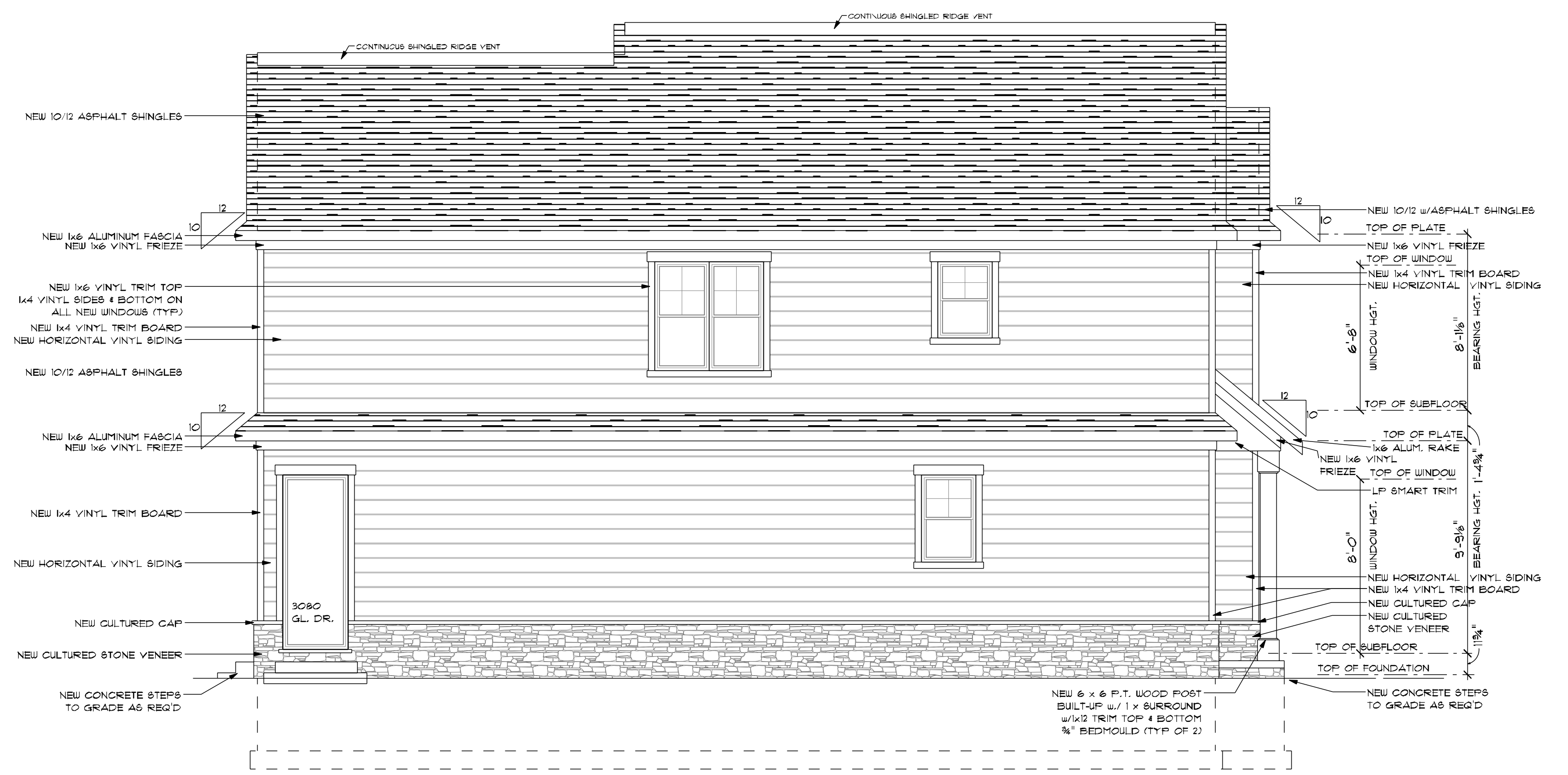
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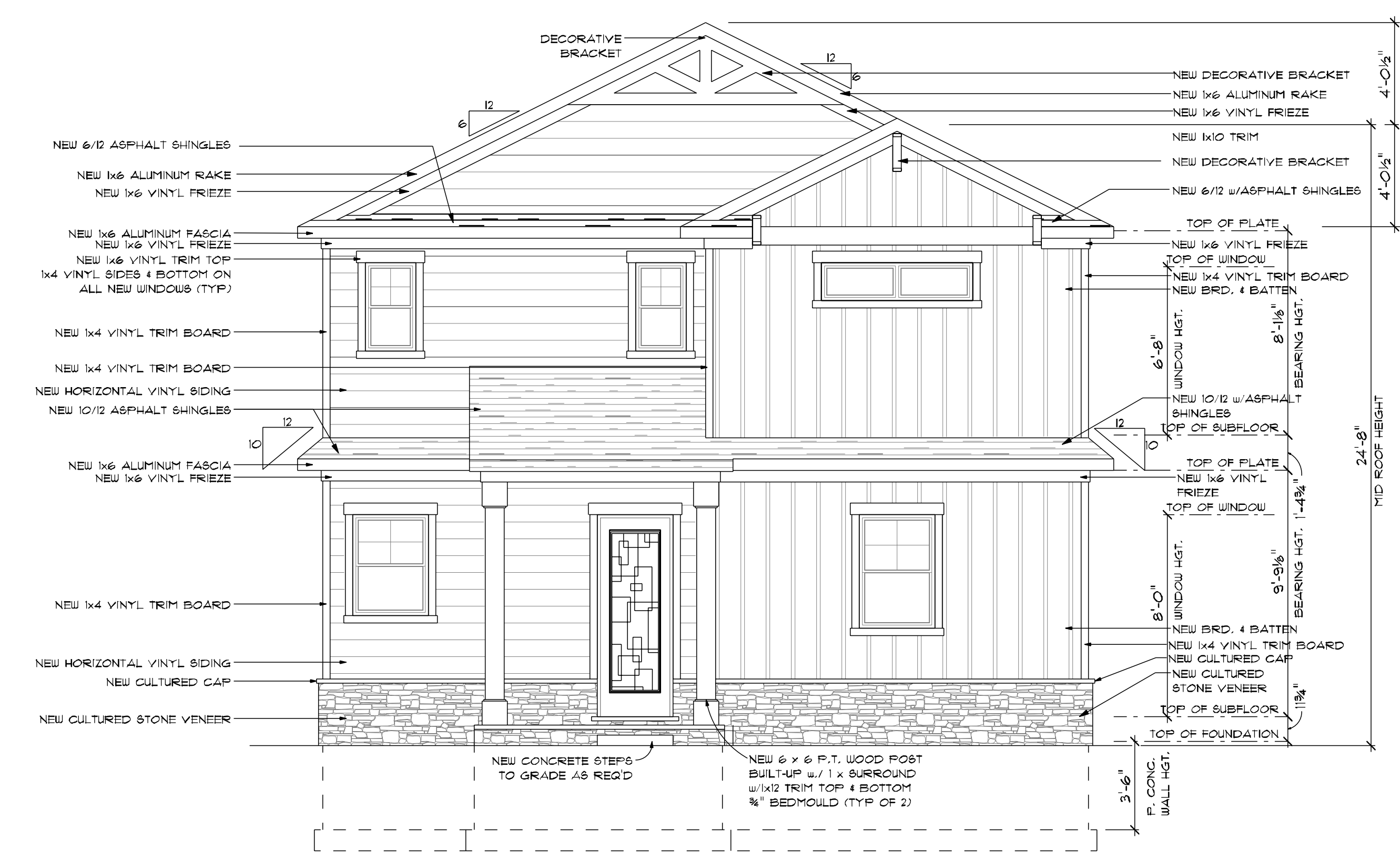
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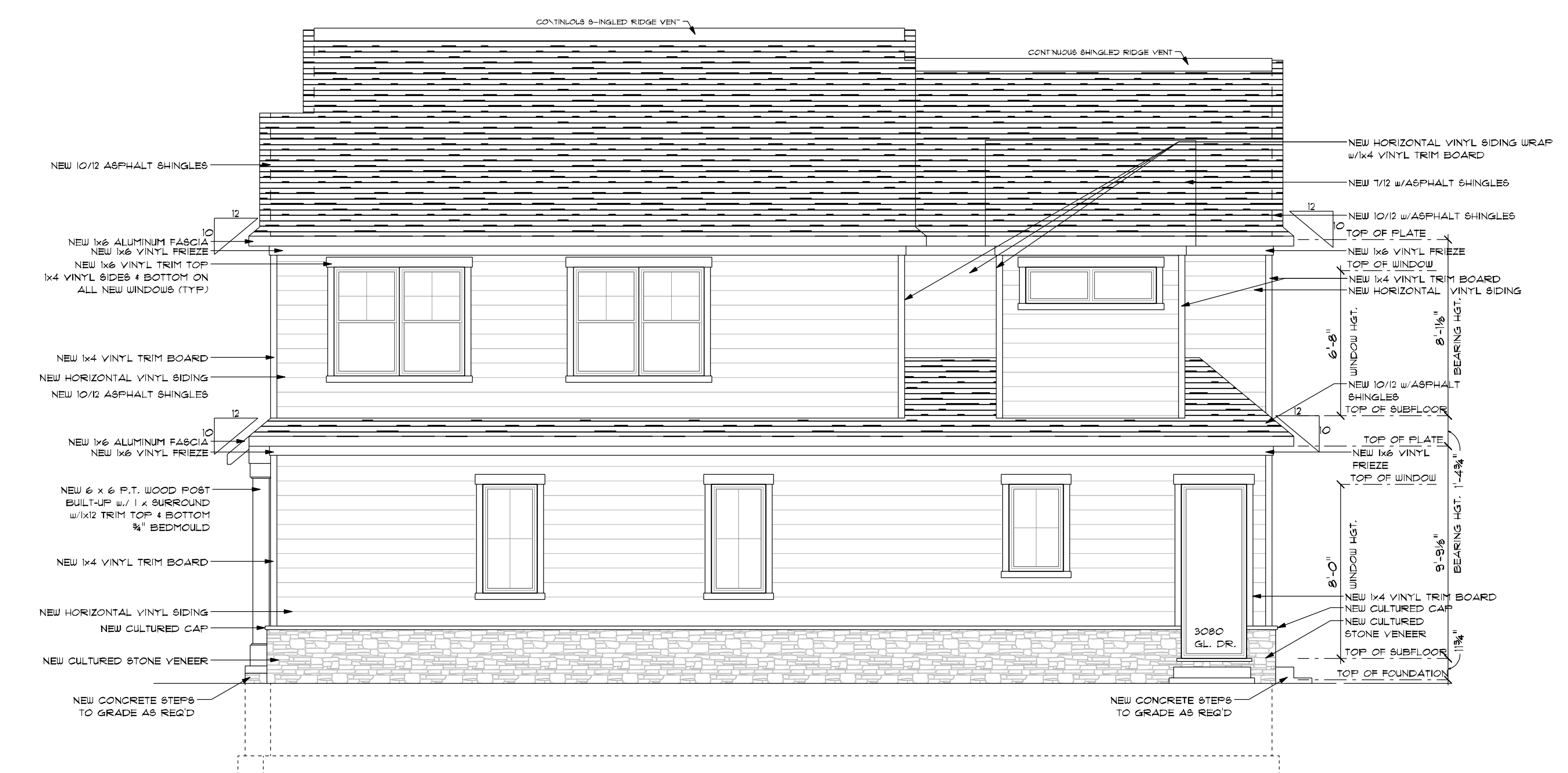
REAR ELEVATION
 SCALE: 1/4" = 1'-0"



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



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



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

Designing Where People Live, Work and Play!

HOUSE PLAN:
SCALPONE RESIDENCE

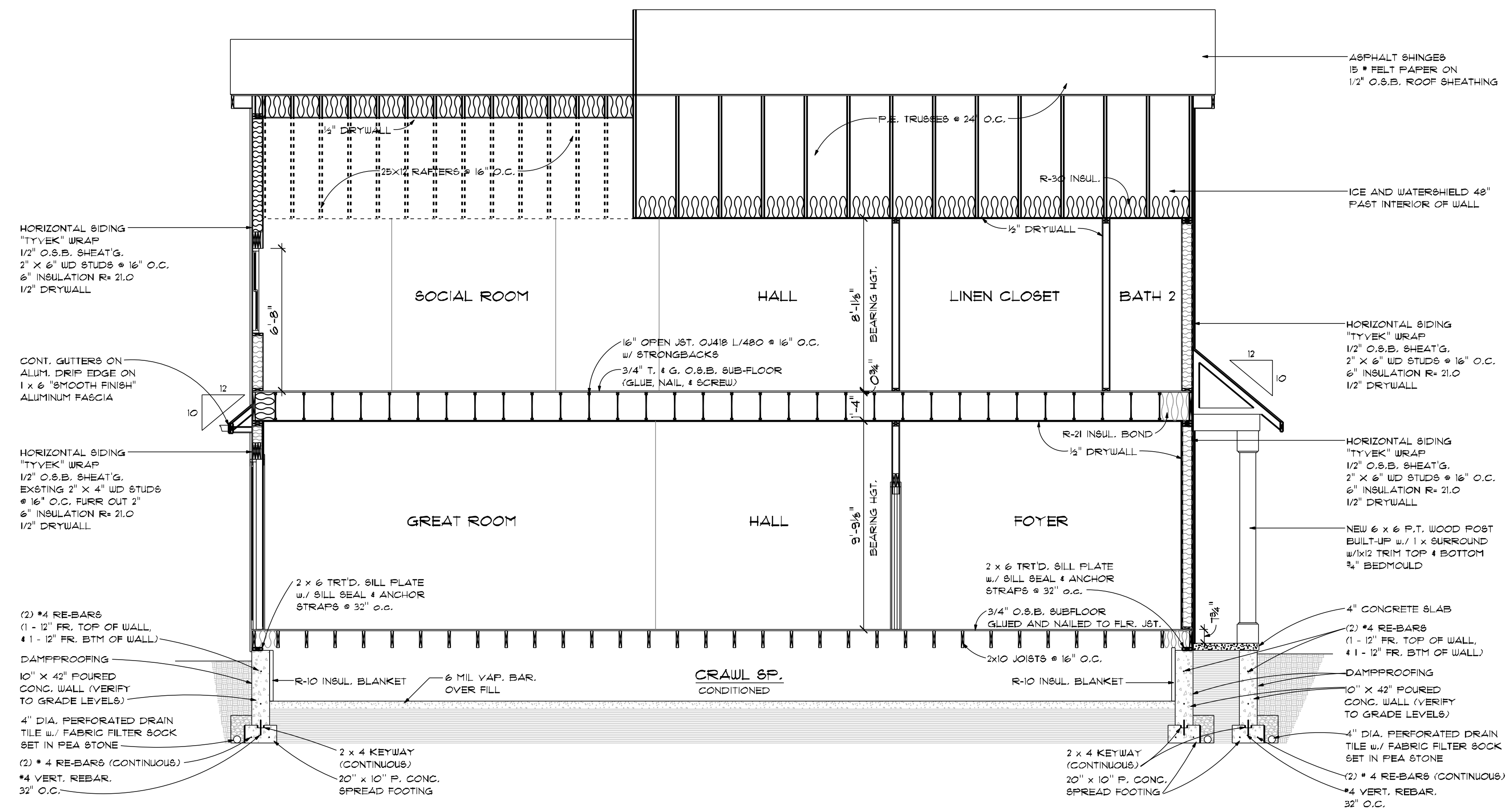
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TOTAL SQ.FT. (HOUSE BILL B019)	2639.00
UN-HABITABLE SQ.FT.	1153.00
TOTAL HABITABLE SQ.FT.	1486.00
PROJECT NO.:	1271-2021
SCALE:	1/4" = 1' - 0"
ORIGINAL PLAN SET DATE:	09-20-2021
REVISION PLAN SET DATE:	11/9/2022
SHEET NO.:	A-3

BUILDER/OWNER INFO:
 NOTE: BUILDER TO VERIFY ALL DIMENSIONS BEFORE WORK BEGINS. BUILDER TAKES FULL RESPONSIBILITY OF DRAWINGS AND CONSTRUCTION OF BUILDING.
 ALL CONTRACTORS AND ROOF SUPPLIER TO VERIFY SITE AND PRE-EXISTING STRUCTURES AND/OR GRADES.

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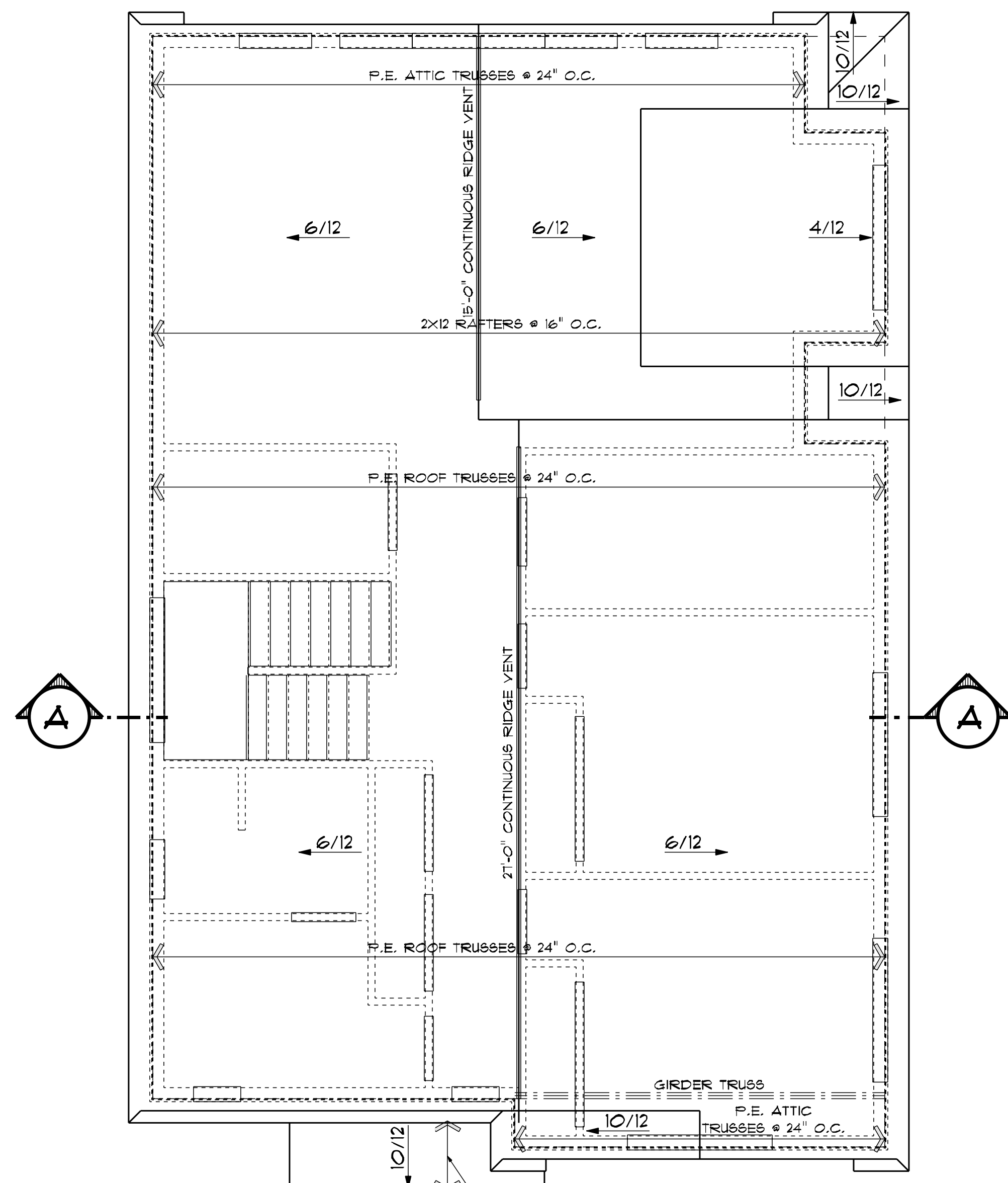


CROSS SECTION 'B'
 SCALE: 1/4" = 1'-0"

ROOF ASSEMBLIES SUBJECT TO WIND UPLIFT PRESSURE OF 20lbs. PER FOOT OR GREATER SHALL HAVE ROOF RAFTERS OR TRUSSES ATTACHED TO THEIR SUPPORTING WALL ASSEMBLIES BY CONNECTIONS CAPABLE OF PROVIDING THE RESISTANCE REQUIRED IN TABLE R602.11 OF THE 2015 IRC.

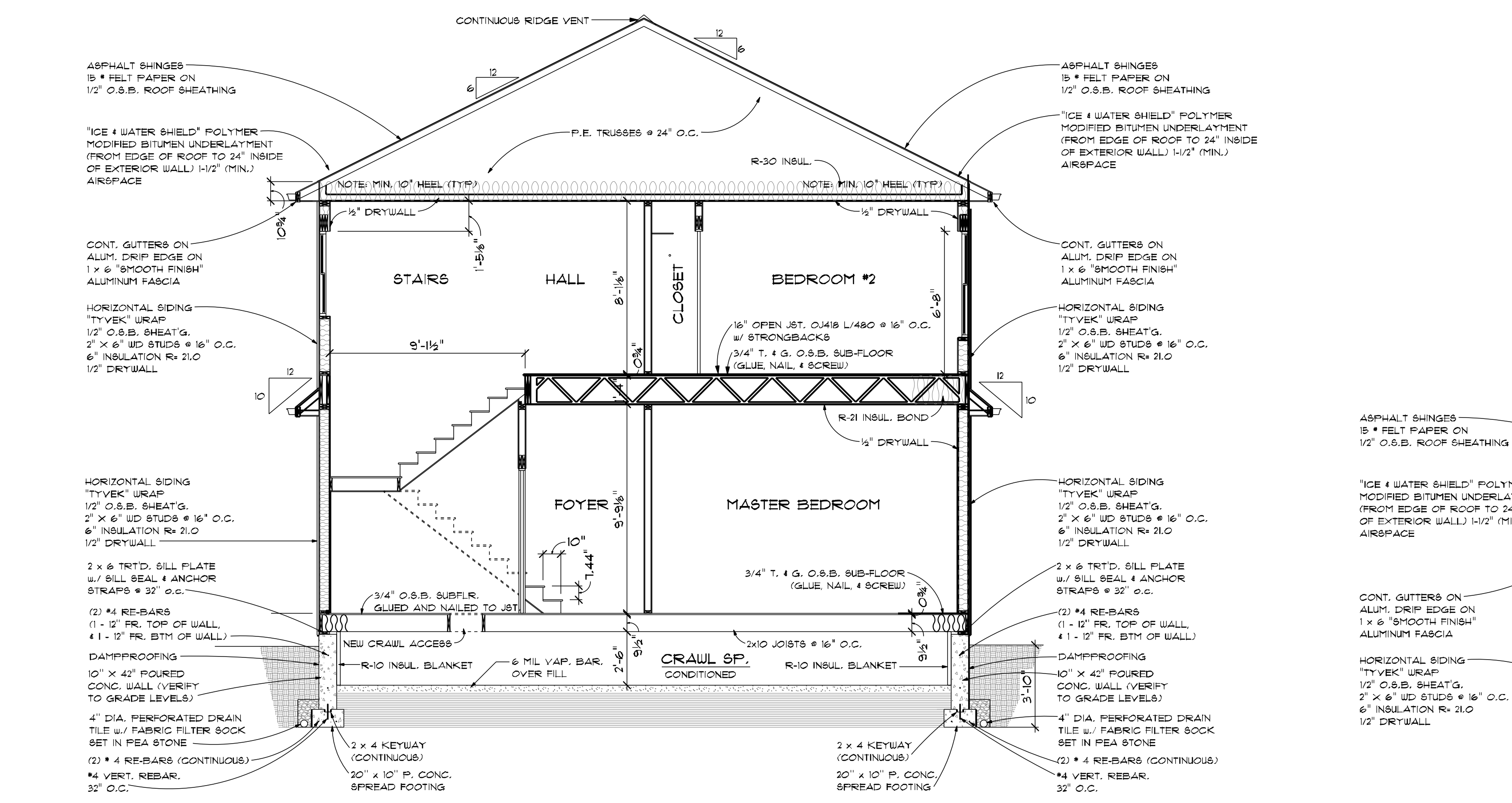
NOTE: 1" THERMAL Baffle REQ'D. FOR VENT CLEARANCE. REFER TO THE 2015 IRC R806.3

NOTE: HURRICANE TIES AS REQ'D.

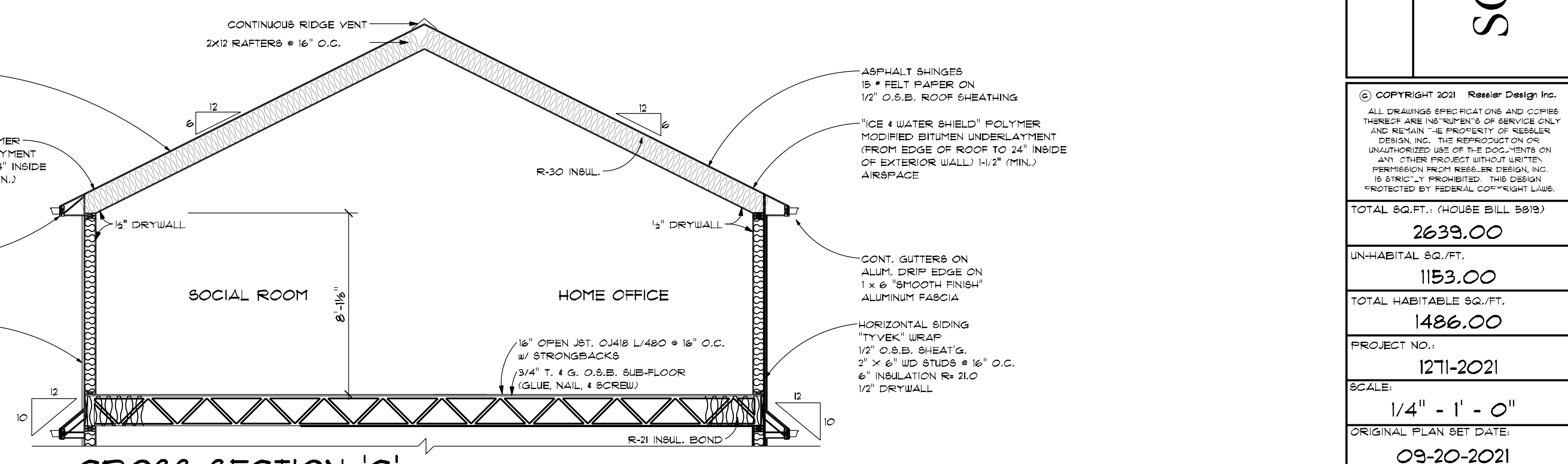


OVERHANG DIMENSION: MEASURED FROM EXTERIOR OF FRAMING

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



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



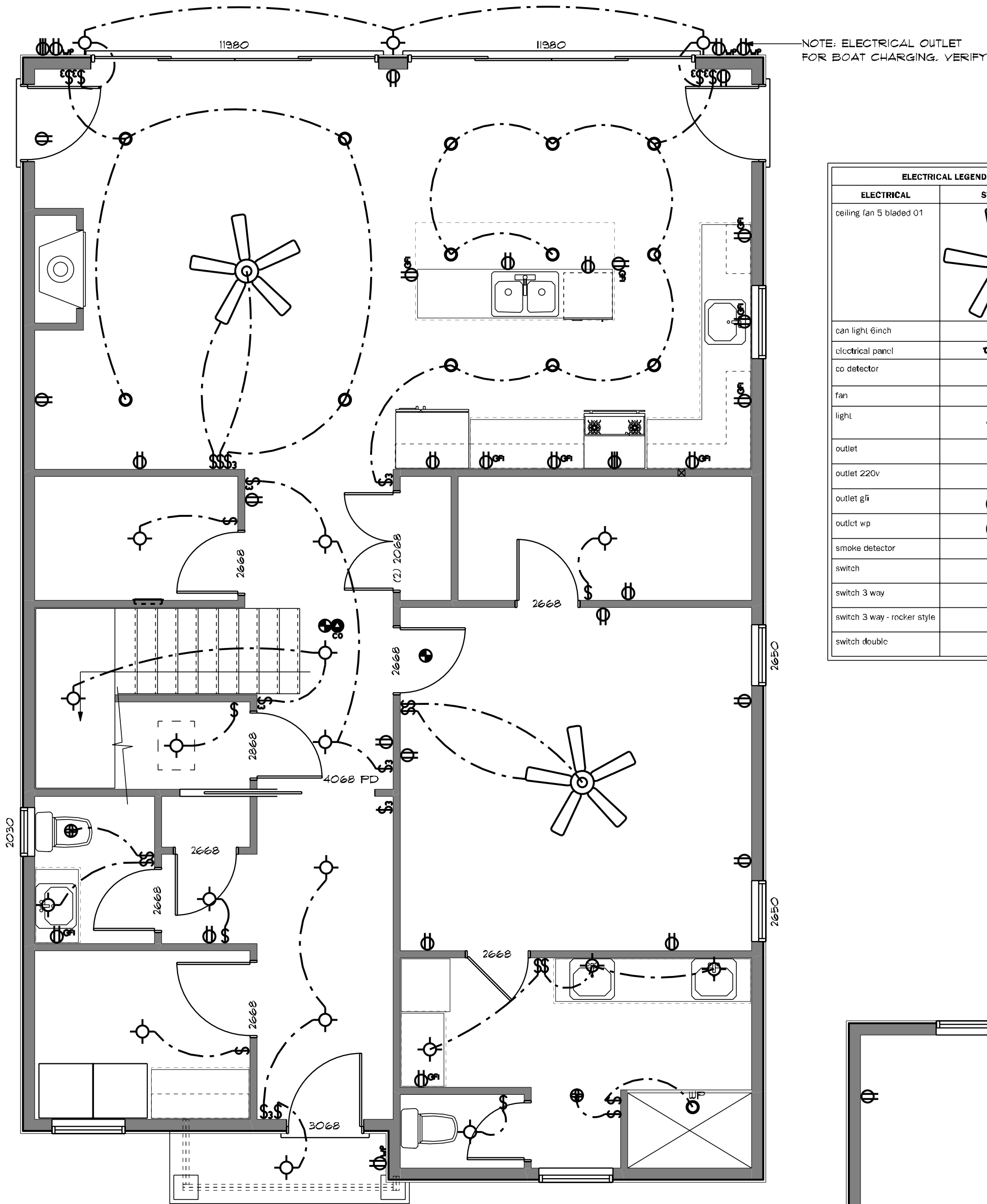
CROSS SECTION 'C'
 SCALE: 1/4" = 1'-0"

Designing Where People Live, Work and Play!

HOUSE PLAN:
SCALPONE RESIDENCE

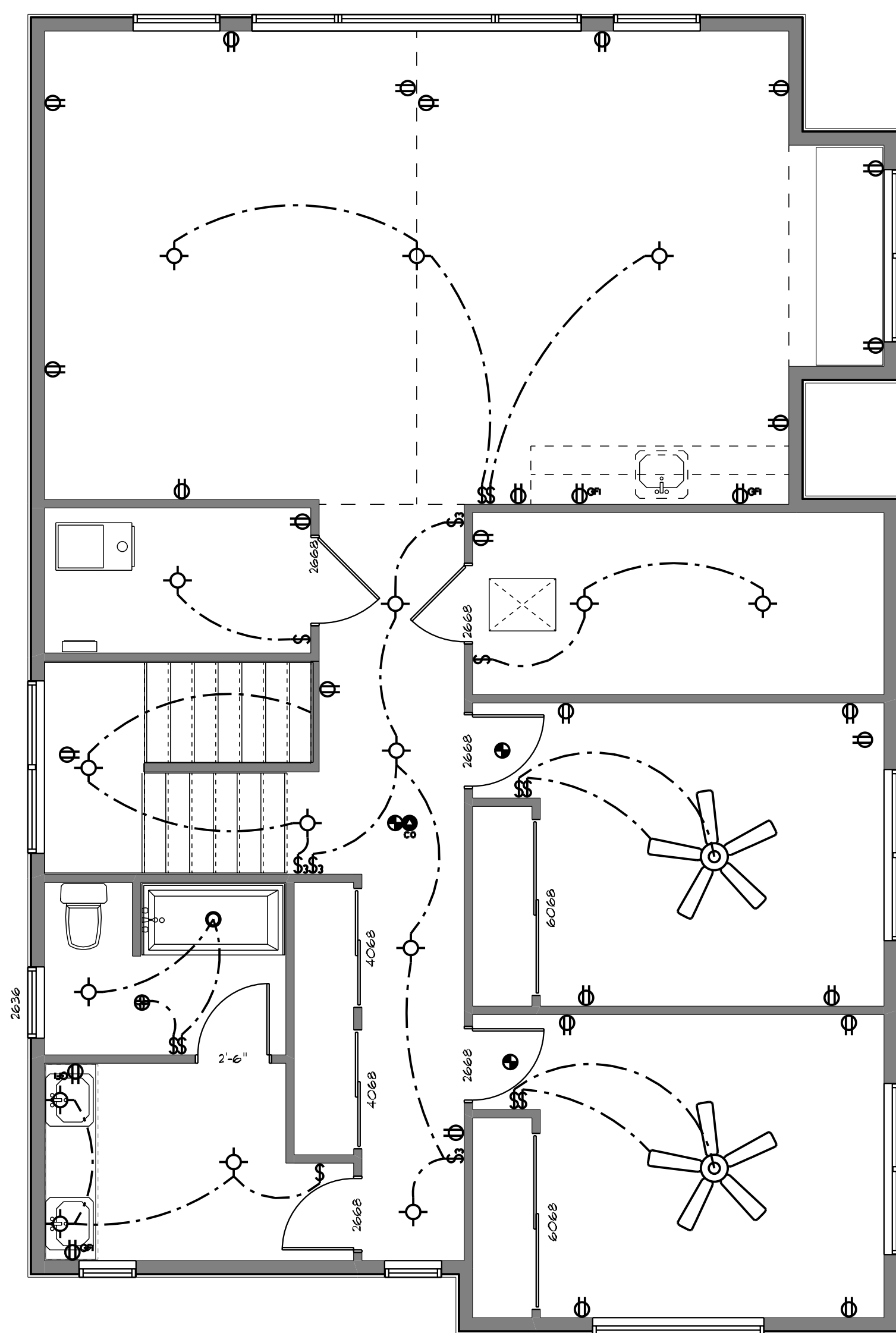
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TOTAL SQ.FT. (HOUSE BILL 5018)	2639.00
UN-HABITABLE SQ.FT.	1153.00
TOTAL HABITABLE SQ.FT.	1486.00
PROJECT NO.:	12711-2021
SCALE:	1/4" = 1'-0"
ORIGINAL PLAN SET DATE:	09-20-2021
REVISION PLAN SET DATE:	11/9/2022
SHEET NO.:	A-4



NEW MAIN FLOOR PLAN - ELECTRICAL

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



NEW UPPER FLOOR PLAN - ELECTRICAL

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

R403 Footings. R403.1 General. All exterior walls shall be supported on continuous solid or fully grouted masonry or concrete footings, wood foundation, or other approved structural systems which shall be of sufficient design to accommodate all loads according to Section R301 and to transmit the resulting loads to the soil. Footings shall be supported on undisturbed natural soils or engineered fill.

HOLLOW AND SOLID UNREINFORCED MASONRY AND PLAIN CONCRETE:

TABLE R404.1.1 (1) Maximum depth of unbalanced fill for a 10" poured concrete wall, or fully grouted masonry wall is 8 feet. TABLE R404.1.1 (2) Maximum depth of unbalanced fill for a 10" masonry - hollow - ungrouted wall is 5 feet.

R406.1 Except where required by Section R406.2 to be waterproofed, foundation walls that retain earth and enclose interior spaces and floors below grade shall be dampproofed from the top of the footing to the finished grade.

SUBSOIL DRAINAGE:

R500.1 Drainage system shall be provided under all basement floors consisting of:
 R500.1.2 BASE. A 4" thick base course consisting of clean graded sand, gravel, crushed stone or crushed blast - furnace slag passing a 2" sieve shall be placed on the prepared subgrade after the slab is in place. EXCEPTION: A base course is not required when the concrete slab is installed on well - drained or sand - gravel mixture soils classified as group I according to the united soil classification system in accordance with TABLE R405.1.

R405.1 Drains shall be provided around all concrete or masonry foundations that retain earth and enclose habitable or usable spaces located below grade. Drainage tiles, gravel or crushed stone drains, perforated pipe or other approved systems or materials shall be installed at or below the area to be protected and shall discharge by gravity or mechanical means into an approved drainage system.

WALL CONSTRUCTION:

R403.1.6 When braced wall panels are supported directly on continuous foundations, the wall wood sill plate or cold-formed steel bottom track shall be anchored to the foundation in accordance with this section. The wood sill plate at exterior walls on monolithic slabs and wood sill plate shall be anchored to the foundation with anchor bolts spaced a maximum of 6 feet on center. There shall be a minimum of two bolts per plate section with one bolt located not more than 12" or less than seven bolt diameters from each end of the plate section. Anchor bolts shall also be located within 12" from the ends of each plate section. Bolts shall be at least 1/2" in diameter and shall extend a minimum of 1" into masonry or concrete. Interior bearing wall sole plates on monolithic slab foundations shall be positively anchored with approved fasteners. A nut and washer shall be fastened on each bolt to the plate. Sills and sole plates shall be protected against decay and termites where required by Sections R309 and R320. Cold-formed steel framing systems shall be fastened to the wood sill plates or anchored directly to the foundation as required in Section R505.3.1, or R603.1.1. Exception: Foundation anchor straps, spaced as required to provide equivalent anchorage to 1/2-inch diameter anchor bolts.

R502.6 Bearing. The ends of each joist, beam or girder shall not have less than 1 1/2 inches of bearing on wood or metal and not less than 3 inches on masonry or concrete except where supported on a 1-inch-by-4-inch ribbon strip and nailed to the adjacent stud or joist.

R502.6.1 Floor systems. Joists framing from opposite sides over a bearing support shall lap a minimum of 3 inches and shall be nailed together with a minimum three 10d face nails. A wood or metal splice with strength equal to or greater than that provided by the joist is not permitted unless the effects of such penetration are specifically considered in the design of the member.

R502.6.2 Joist framing. Joists framing into the side of a wood girder shall be supported by approved framing anchors or on ledger strips not less than nominal 2 inches by 2 inches.

R502.8 Drilling and notching. Structural floor members shall not be cut, bored or notched in excess of the limitations specified in this section. See Figure R502.8.

R502.8.1 Beam lumber. Notches in solid lumber joists, rafters and beams shall not exceed one-sixth of the depth of the member, shall not be longer than one-third of the depth of the member and shall not be located in the middle one-third of the span. Notches at the ends of the member shall not exceed one-fourth the depth of the member. The tension side of rafters 4 inches or greater in nominal thickness shall not be notched except at the ends of the members. The diameter of holes bored or cut into members shall not exceed one-third the depth of the member. Holes shall not be closer than 2" to the top or bottom of the member, or to any other hole located in the member. Where the member is also notched, the hole shall not be closer than 2 inches to the notch.

R502.8.2 Engineered wood products. Cuts, notches and holes bored in trusses, laminated veneer lumber, glued-laminated members or joists are not permitted unless the effects of such penetration are specifically considered in the design of the member.

R506.2.3 Vapor retarder. A 6 mil polyethylene or approved vapor retarder with joints lapped not less than 6 inches shall be placed between the concrete floor slab and the base course or the prepared subgrade where no base course exists.

Exceptions: A 6 mil polyethylene or approved vapor retarder with joints lapped not less than 6 inches shall be placed 1. From detached garages, utility buildings and accessory structures.
 2. From driveways, walks, patios and other flat work not likely to be enclosed and heated at a later date.
 3. Where approved by the building official, based on local site conditions.

All walls 14'-0" and beyond in height and supporting a roof only to be continuous 2 x 6 studs. Refer to Table R602.3.1

GENERAL ELECTRICAL NOTES

1. ELECTRICAL CONTRACTOR MUST VISIT JOB SITE AND BECOME FAMILIAR WITH THE EXISTING CONDITIONS. FAILURE TO DO SO WILL NOT CONSTITUTE GROUNDS FOR ANY 'EXTRAS'.
2. ALL ELECTRICAL WORK MUST CONFORM TO THE LATEST APPROVED EDITION OF THE NATIONAL ELECTRIC CODE AND ANY STATE OR LOCAL REGULATIONS.
3. THE ELECTRICAL CONTRACTOR SHALL OBTAIN ALL ELECTRICAL PERMITS, PAY ALL ASSOCIATED FEES AND ARRANGE FOR ALL ELECTRICAL INSPECTIONS. AT THE COMPLETION OF THE JOB, THE ELECTRICAL CONTRACTOR SHALL FURNISH A CERTIFICATE OF FINAL INSPECTION AND APPROVAL TO THE OWNER AND GENERAL CONTRACTOR.
4. THE ELECTRICAL CONTRACTOR MUST FIELD VERIFY ALL LOCATIONS AND HEIGHT REQUIREMENTS OF DEVICES, DISCONNECTS AND OTHER ELECTRICAL ITEMS WITH THE OWNER AND OTHER TRADES.
5. ALL ELECTRICAL MATERIALS SHALL BE NEW AND BEAR THE "UL" LABEL.
6. THE ELECTRICAL CONTRACTOR WILL FURNISH AND INSTALL ALL LIGHT FIXTURES AND LAMPS AS SHOWN ON THE DRAWINGS ACCORDING TO THE FIXTURE SCHEDULE, U.N.O., UNLESS OTHERWISE MARKED BY GENERAL CONTRACTOR.
7. ANY NEW ELECTRICAL PANELS SHALL BE PANEL BOARD CONFIGURATION AND WILL HAVE BOLT ON CIRCUIT BREAKERS.
8. ELECTRICAL PANEL SCHEDULES SHALL BE CLEARLY MARKED USING TYPEWRITTEN OR EQUAL IDENTIFICATION FOR EACH CIRCUIT.
9. ELECTRICAL CONTRACTOR MUST FIELD VERIFY THE LOCATION HEIGHT AND ELECTRICAL REQUIREMENTS OF ALL KITCHEN EQUIPMENT WITH THE OWNER AND EQUIPMENT SUPPLIER PRIOR TO COMMENCEMENT OF WORK.
10. CARBON MONOXIDE ALARMS MUST BE INSTALLED IN THE IMMEDIATE VICINITY OF SLEEPING AREAS IN UNITS WITH FUEL FIRED APPLIANCES AND/OR ATTACHED GARAGES.
11. RECESSED LIGHTS MUST BE INSULATION-CONTACT RATED AND SEALED AT CEILING PRESENTATION PER CODE.
12. A MINIMUM OF 50% OF ALL PERMANENTLY INSTALLED LIGHTING FIXTURES MUST USE CFL OR OTHER HIGH EFFICIENCY LAMPS.
13. ALL 125 VOLT, 15 & 20 AMP RECEPTACLES INSTALLED IN GARAGES AND UNFINISHED BASEMENTS MUST HAVE GROUND-FAULT CIRCUIT INTERRUPTER PROTECTION.
14. ARC-FAULT PROTECTION FOR BRANCH CIRCUITS SHALL INCLUDE ALL HABITABLE SPACES EXCEPT KITCHENS, INCLUDING HALLWAYS, CLOSETS, LAUNDRY ROOMS, BATHROOMS AND SIMILAR SPACES.
15. ALL 125 VOLT, 15 & 20 AMP RECEPTACLES INSTALLED IN DWELLING UNITS, ON THE OUTSIDE OF DWELLING UNITS AND IN ATTACHED GARAGES SHALL BE LISTED TAMPER RESISTANT RECEPTACLES.

R602.6 Drilling and notching - studs. Any stud in an exterior wall or bearing partition may be cut or notched to a depth not exceeding 25 percent of its width. Studs in nonbearing partitions may be notched to a depth not to exceed 40 percent of a single stud width. Any stud may be bored or drilled, provided that the diameter of the resulting hole is no greater than 40 percent of the stud width, the edge of the hole is no closer than 5/8" to the edge of the stud, and the hole is not located in the same section as a cut or notch. See Figures R602.6(1) and R602.6(2).

Exceptions: Approved stud shoes may be used when installed in accordance with the manufacturer's recommendation.

R602.6.1 Drilling and notching of top plate. When piping or ductwork is placed in or partly in an exterior wall or interior load bearing wall, necessitating drilling or notching of the top plate by more than 50 percent of its width, a galvanized metal tie not less than 0.054 inch thick (16 gauge) and 1 1/2 inches wide shall be fastened to each plate across and to each side of the opening with not less than eight led nails at each side or equivalent (see Figure R602.6.1). Exception: When the entire side of the wall with the notch or cut is covered by wood structural panel sheathing.

R602.10 WALL BRACINGS. All exterior walls shall be braced in accordance with this section. In addition, interior braced wall lines shall be provided in accordance with Section R602.10.1.1.

R602.10.1 BRACED WALL LINES. Braced wall lines shall consist of brace wall panel construction methods in accordance with Section R602.10.3. The amount and location of bracing shall be in accordance with Table R602.10.1 and the amount of bracing shall be the greater of that required by the Seismic Design Category or the design wind speed. Braced wall panels shall begin no more than 12.5 feet from each end of a braced wall line. Braced wall panels that are counted as part of a braced wall line shall be in line, except that offsets out-of-planes of up to 4 feet shall be permitted provided that the total out-to-out offset dimension in any braced wall line is not more than 8 feet.

R602.10.3 BRACED WALL PANEL CONSTRUCTION METHODS. The construction of braced wall panels shall be in accordance with the following method:

6. Particle Board wall sheathing panels installed in accordance with Table R602.10.4. 6. 1/2" particle board wall sheathing w/ m-2 exterior glue.

R602.10.6 Alternate braced wall panels. Alternate braced wall lines constructed in accordance with one of the following provisions shall be permitted to replace each 4 feet of braced wall panel as required by Section R602.10.4:

1. In one-story buildings, each panel shall be sheathed on one face with 3/8" - minimum thickness wood structural panel sheathing nailed nailed with 8d common or galvanized box nails in accordance with Table R602.3(1) and blocked at all wood structural panel sheathing edges. Two anchor bolts installed in accordance with Figure R403.1(1) shall be provided in each panel. Anchor bolts shall be placed at panel quarter points. Each panel and stud shall have a tie-down device fastened to the foundation, capable of providing an uplift capacity of at least 1800 pounds. The tie-down device shall be installed in accordance with the manufacturer's recommendations. The panels shall be supported directly on a foundation or on floor framing supported directly on a foundation which is continuous across the entire length of the braced wall line. This foundation shall be reinforced with not less than one No. 4 bar top and bottom. When the continuous foundation is required to have a minimum 12" x 12" continuous footing or turned down also edge is permitted at door openings in the braced wall line. This continuous footing or turned down edge shall be reinforced with not less than one No. 4 bar top and bottom. This reinforcement shall be lapped 15" with the reinforcement required in the continuous foundation located directly under the braced wall line.

2. In the first story of two-story buildings, each braced wall panel shall be in accordance with Item 1 above, except that the wood structural panel sheathing shall be provided on both faces, at least three anchor bolts shall be placed at one-third points, and tie-down device uplift capacity shall be not less than 3,000 pounds.

R102.4.2 Gypsum backer.m Gypsum board utilized as the base or backer board for adhesive application of ceramic tile or other noncombustible finish material shall conform with ASTM C 630 or C 1178. Water-resistant gypsum backing board shall be permitted to be used on ceiling where framing spacing does not exceed 12" on center for 1/2" thick or 16" for 5/8" thick gypsum board. Water-resistant gypsum board shall not be installed over a vapor retarder in a shower or tub compartment. All cut or exposed edges, including those at wall intersections, shall be sealed as recommended by the manufacturer.

ALL POINT LOADS: ALL POINT LOADS SHALL BE SUPPORTED BY MINIMUM 4 STUDS U.N.O.

R102.5 WEATHER - RESISTANT SHEATHING PAPER. A minimum of one layer or No. 15 asphalt felt complying with ASTM D 726, as listed in chapter 43, for type I felt or other approved weather-resistant materials shall be applied over sheathing of all exterior walls. See TABLE R102.4.

Notes:

R102.7.4 Anchorage. Masonry veneer shall be anchored to the supporting wall with corrosion - resistant metal ties. Where veneer is anchored to wood backings through the use of corrugated steel metal ties, the distance separating the veneer from the sheathing material shall be a maximum of 1". Where the veneer is anchored to wood backings through the use of metal strand wire ties, the distance separating the sheathing material shall be maximum of 4 1/2". Where the veneer is anchored to cold - formed steel backings, adjustable metal strand wire ties shall be used. Where veneer is anchored to cold - formed steel backings, the distance separating the veneer from the sheathing material shall be a maximum of 4 1/2".

R102.7.4.1. Size and spacing. Veneer ties, if strand wire, shall not be less in thickness than No. 9 U.S. gauge wire and shall have a hook embedded in the mortar joint, or if steel metal, shall be not less than No. 22 U.S. gauge by 1/8" corrugated. Each tie shall be spaced not more than 24" on center horizontally and vertically and shall support not more than 2.61 square feet of wall area.

R102.4.1.1 Veneer ties around wall openings. Additional metal ties shall be provided around all wall openings greater than 16" in either dimension. Metal ties around the perimeter of openings shall be spaced not more than 3 feet on center and placed within 12" of the wall opening. Additional metal ties shall be provided around all wall openings greater than 16" in either

R102.8 Flashing. Approved corrosion - resistant flashing shall be applied shingle-fashion in such a manner to prevent entry of water into the wall cavity or penetration of water to the building structural framing components. The flashing shall extend to the surface of the exterior wall finish. Approved corrosion-resistant flashings shall be installed at all of the following locations:

1. Exterior window and door openings. Flashing at exterior windows and door openings shall extend to the surface of the exterior wall finish or to the water-resistant barrier for subsequent drainage.
2. At the intersection of chimneys or other masonry construction with frame or stucco walls, with projecting lips on both sides under stucco copings.
3. Under and at the ends of masonry, wood or metal copings and sills.
4. Continuously above all projecting wood trim.
5. Where exterior porches, decks or stairs attach to a wall or floor assembly of wood - frame construction.
6. At wall and roof intersections.
7. At built-in gutters.

R606.2 Roof Ventilation. Minimum area. The total net free ventilation area shall not be less than 1 to 160 of the area of the space ventilated except that the total area is permitted to be reduced to 1 to 300, provided at least 50 percent and not more than 80 percent of the required ventilation area is provided by ventilator located in the upper portion of the space to be ventilated at least 3 feet above eave or cornice vents with the balance of the required ventilation provided by eave or cornice vents. As an alternative, the net free cross - ventilation area may be reduced to 1 to 300 when a vapor barrier having a transmission rate not exceeding 1 perm is installed on the warm side of the ceiling.

R601.1 Access to attic minimum 22" x 30".

R508.2 SEPARATION REQUIRED. The garage shall be separated from the residence and its attic area by not less than 1/2" gypsum board applied to the garage walls. Girders shall be separated from the residence floor above by not less than 5/8" - inch type X gypsum board or equivalent, where the separation is a floor - ceiling assembly, the structure supporting the separation shall also be protected by not less than 1/2" - inch gypsum board or equivalent. Garages located less than 3 feet from a dwelling unit on the same lot, shall be protected with not less than 1/2 inch gypsum board applied to the interior side of exterior walls that are within this area. Openings in these areas shall be regulated by Section R503.1. This provision does not apply to garage walls that are perpendicular to the adjacent dwelling unit wall.

ASPHALT SHINGLES:

R505.2.1 UNDERLAYMENT APPLICATION. For roof slopes from 2 units vertical in 12 units horizontal (17-percent slope), up to 4 units vertical in 12 units horizontal (33-percent slope), underlayment shall be two layers. For roof slopes 4 units vertical in 12 units horizontal (33-percent slope), or greater, underlayment shall be one layer. See R505.2.3 for more details.

R313.3 POWER SOURCE. In new construction, the required smoke alarm shall receive their primary power from the building wiring when such wiring is served from a commercial source, and when primary power is interrupted, shall receive power from a battery. In new construction, the required smoke alarm shall receive their primary power from the building wiring when:

401.4.1 Geotechnical evaluation/In lieu of a complete geotechnical evaluation, the load-bearing values in Table R401.4.1 shall be assumed. Soil bearing pressure assume to be 3,000 P.S.F. If poorer soil conditions are found, the Design Office shall be notified prior to footing construction.

402.2 Concrete shall be 3,000 p.s.i. at 28 days testing. Concrete shall have a minimum specified compressive strength as shown in Table R402.2

R505.2.1.1 ICE BARRIER. In areas where there has been a history of ice forming along the eaves causing a backup of water as designated in Table R502.1(2), an ice barrier that consists of a least two layers of underlayment cemented together or of a self-adhering polymer modified bitumen sheet, shall be used in lieu of normal underlayment and extend from the lowest edges of all roof surfaces to a point at least 24 inches inside the exterior wall line of the building.

R102.6 FOOTING AND FOUNDATIONS. Footings for masonry fireplaces and their chimneys shall be constructed of concrete or solid masonry at least 12 inches thick and shall extend at least 6 inches beyond the face of the foundation or support wall on all sides. Footings shall be founded on natural undisturbed earth or engineered fill below frost depth. In areas not subjected to freezing, footings shall be at least 12 inches below finished grade.

E3802 Provide ground fault circuit - interrupters at all exterior electrical outlets and interior outlets adjacent to water sources.

R-21 Wall Requirements. If R-21 requirement is in effect at time of construction, then use 1" rigid insulation over structural sheathing in addition to R-13 insulation.

A Flashing inspection will be required prior to installing the full wall of brick.

R102.1.5 FLASHING. Approved flashing shall be installed beneath the first course of masonry above finished ground level above the foundation wall or sill and at other points of support, including structural floors, shell angles and lintels when masonry veneers are designed in accordance with Section R102.1 of the code. See section R102.8 of the code for additional requirements.

R102.1.6 WEATHOLEBS. Weatholes shall be provided in the outside wythe of masonry walls at a maximum spacing of 35' on center. Weatholes shall not be less than 3/16" in diameter. Weatholes shall be located immediately above and directly on the flashing.

BUILDER/OWNER INFO: Item A.

NOTE: BUILDER TO VERIFY ALL DIMENSIONS BEFORE WORK BEGINS. BUILDER TAKE FULL RESPONSIBILITY OF DRAWINGS AND CONSTRUCTION OF BUILDING.

ALL CONTRACTORS AND ROOF SUPPLIERS TO VERIFY SITE AND PREPARE Siting STRUCTURE AND/OR GRADES

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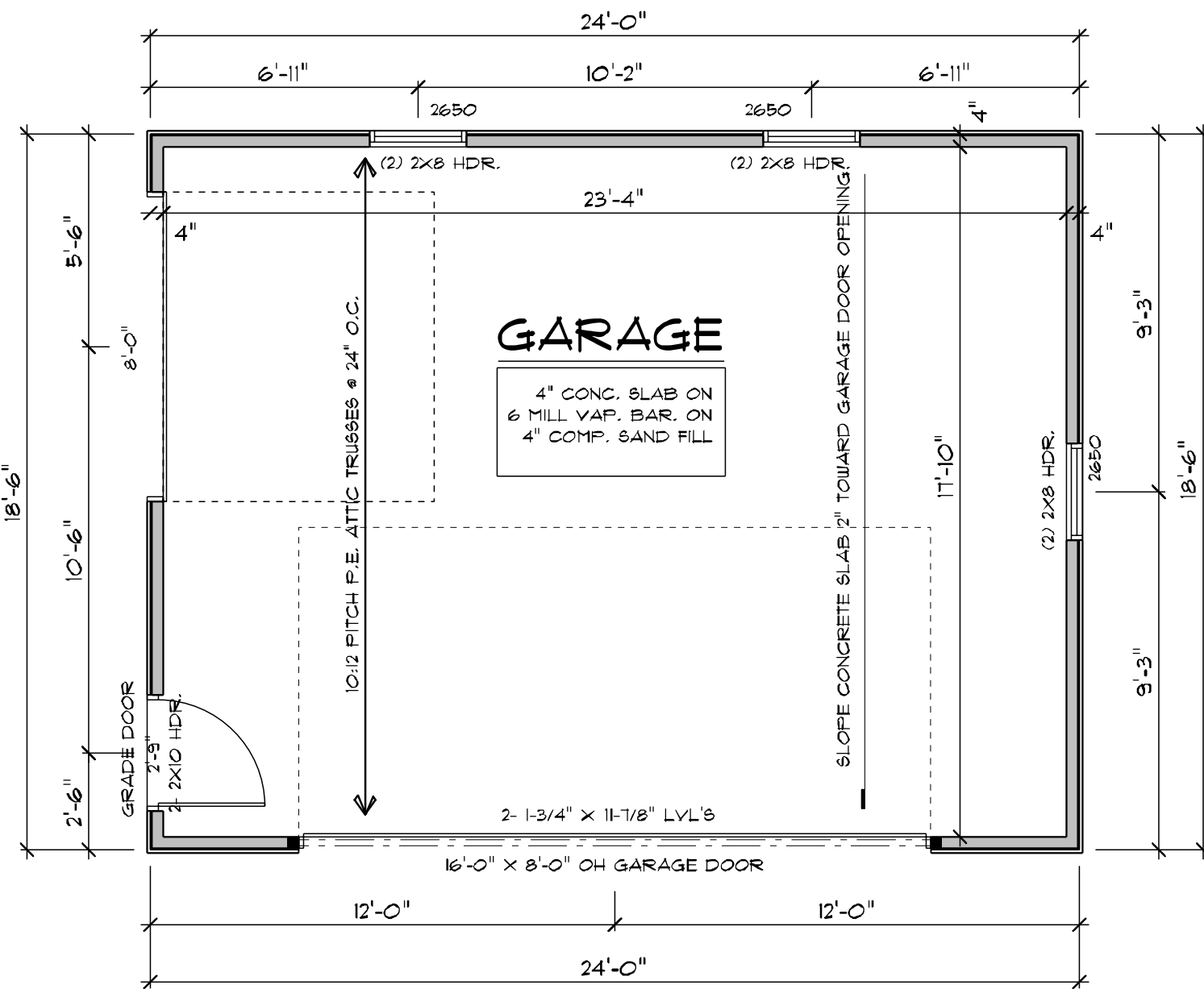
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HOUSE PLAN:

SCALPONE RESIDENCE

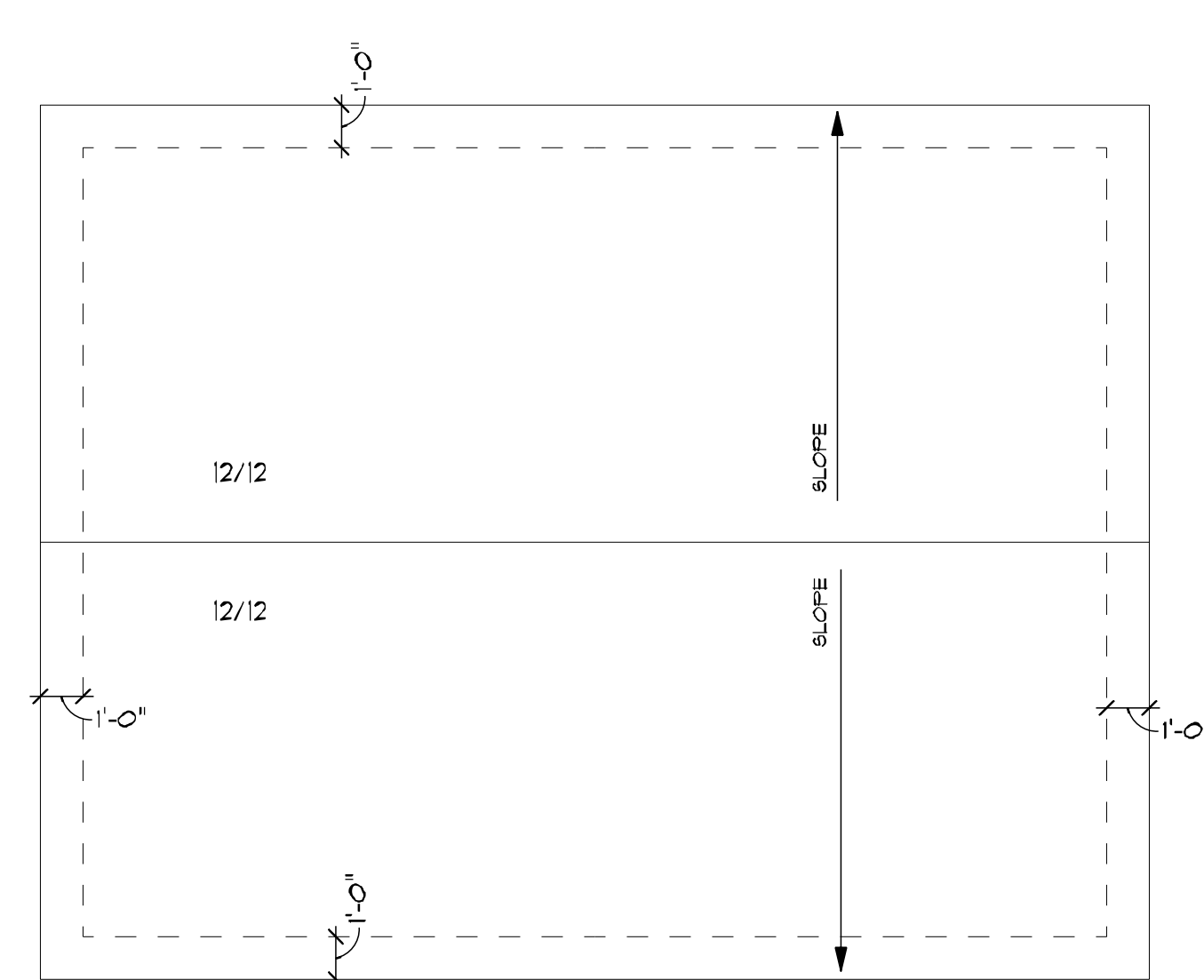
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TOTAL SQ.FT. (HOUSE BILL 5819)	2639.00
UN-HABITABLE SQ.FT.	1153.00
TOTAL HABITABLE SQ.FT.	1486.00
PROJECT NO.:	1271-2021
SCALE:	1/4" = 1' - 0"
ORIGINAL PLAN SET DATE:	03-20-2021
REVISION PLAN SET DATE:	11/9/2022
SHEET NO.:	A-5



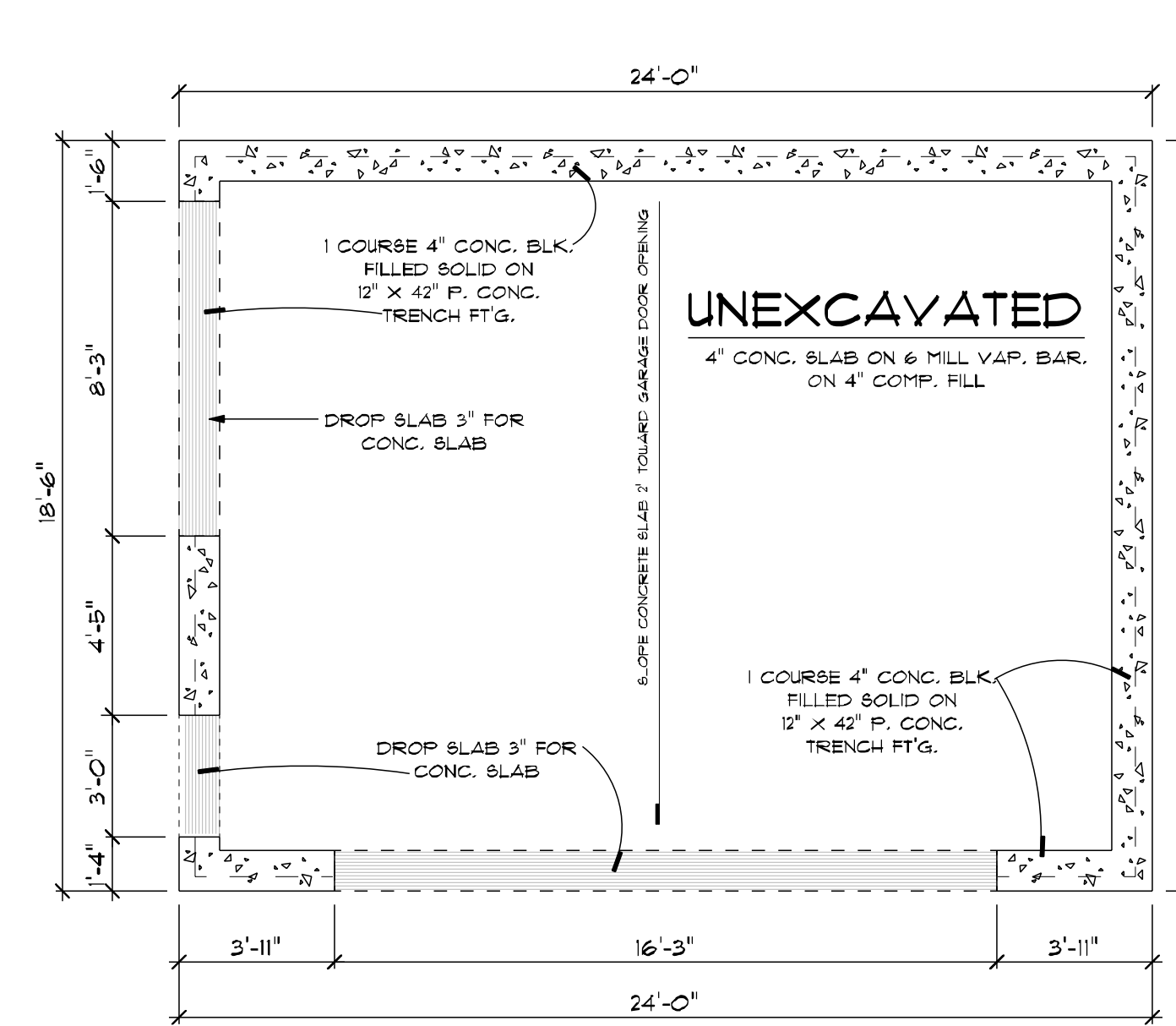
FLOOR PLAN

1/4" = 1' - 0"



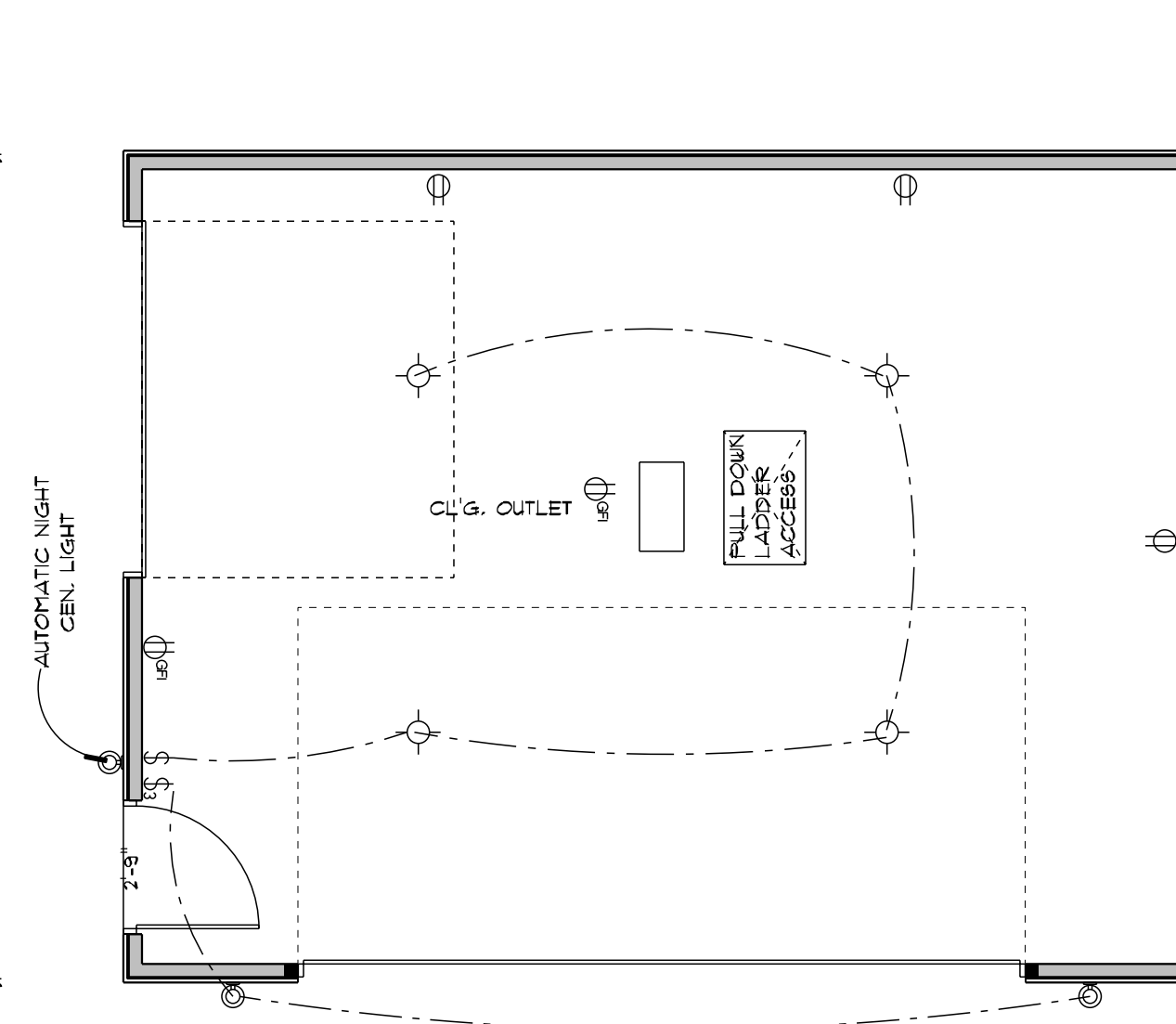
ROOF PLAN

1/4" = 1' - 0"



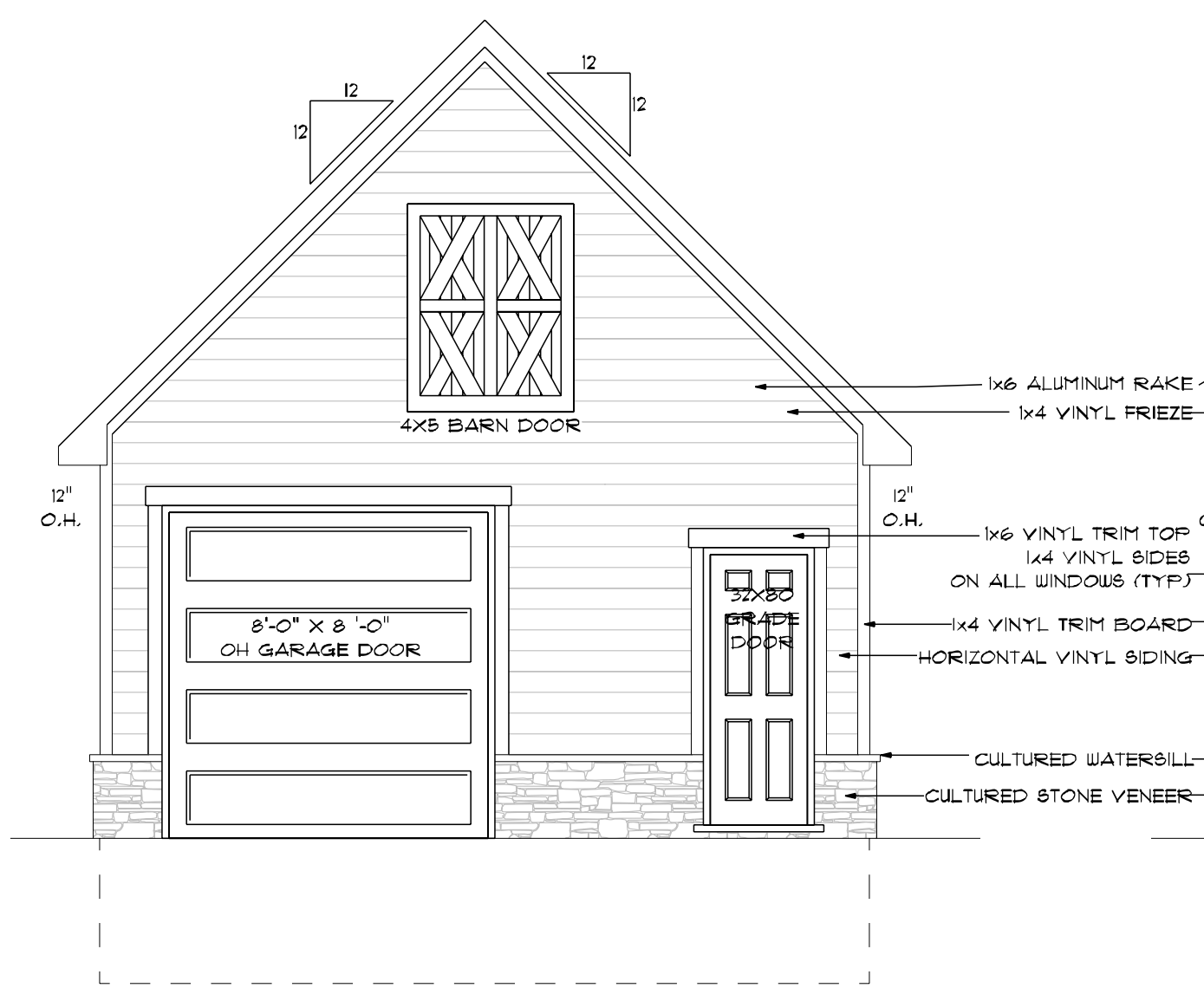
FOUNDATION PLAN

1/4" = 1' - 0"



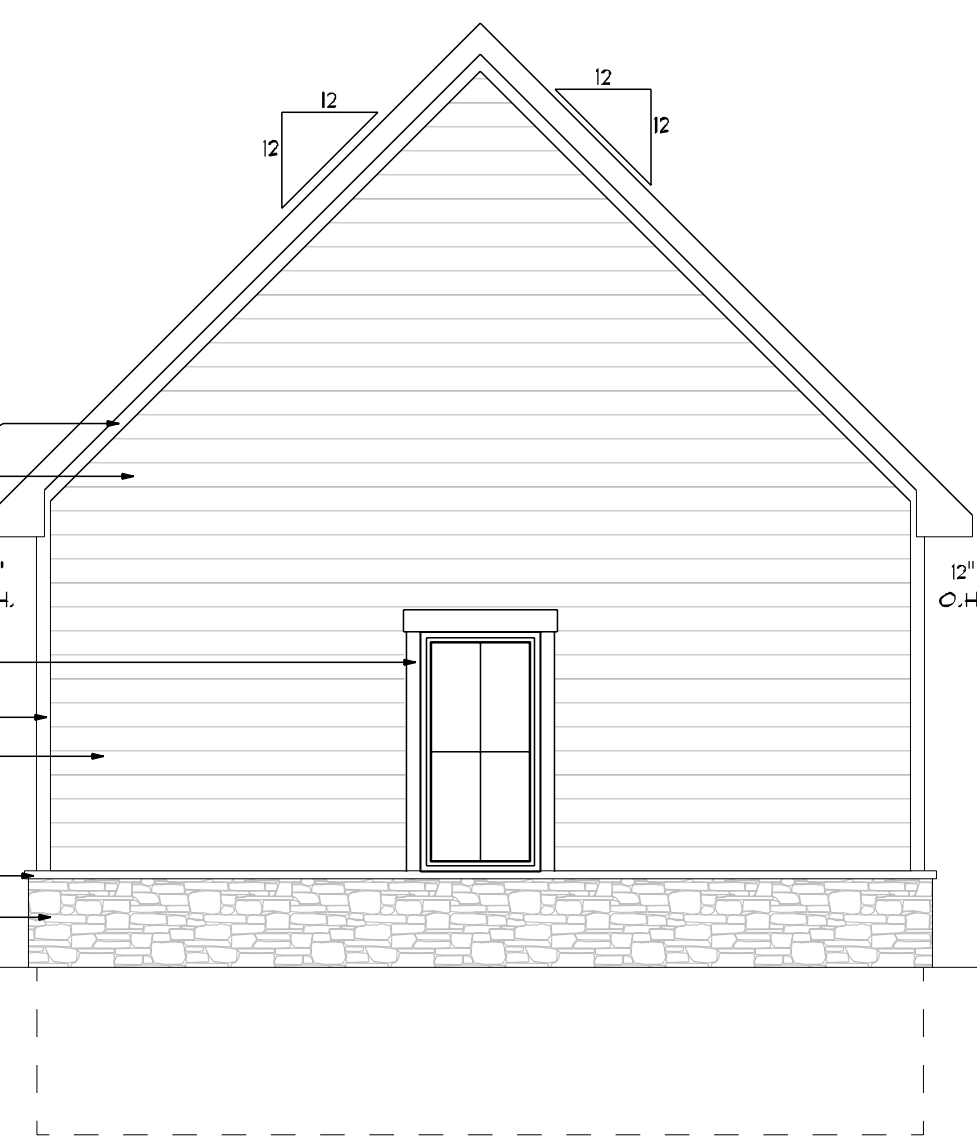
ELECTRICAL PLAN (OPT.)

1/4" = 1' - 0"



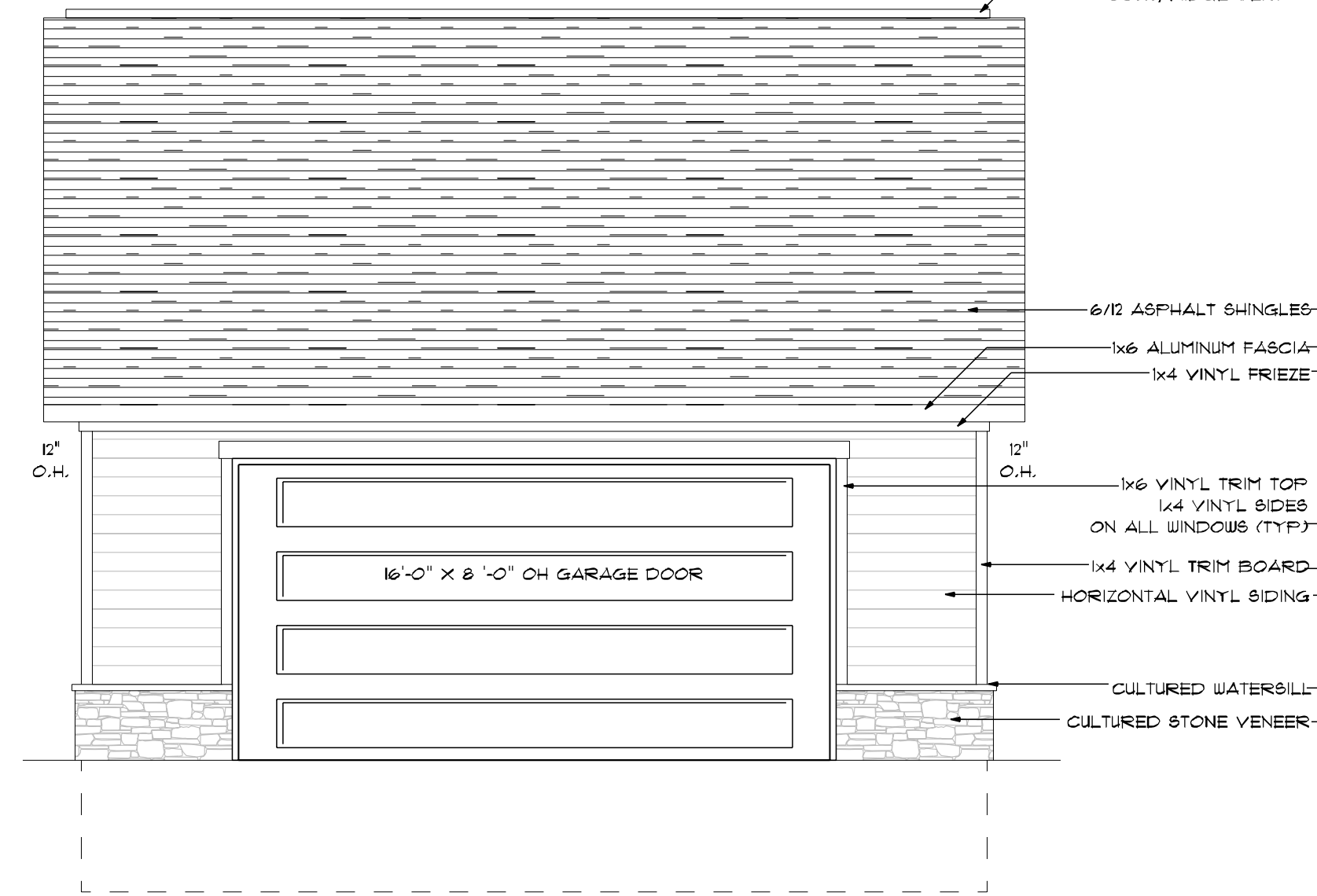
LEFT ELEVATION

1/4" = 1' - 0"



RIGHT ELEVATION

1/4" = 1' - 0"



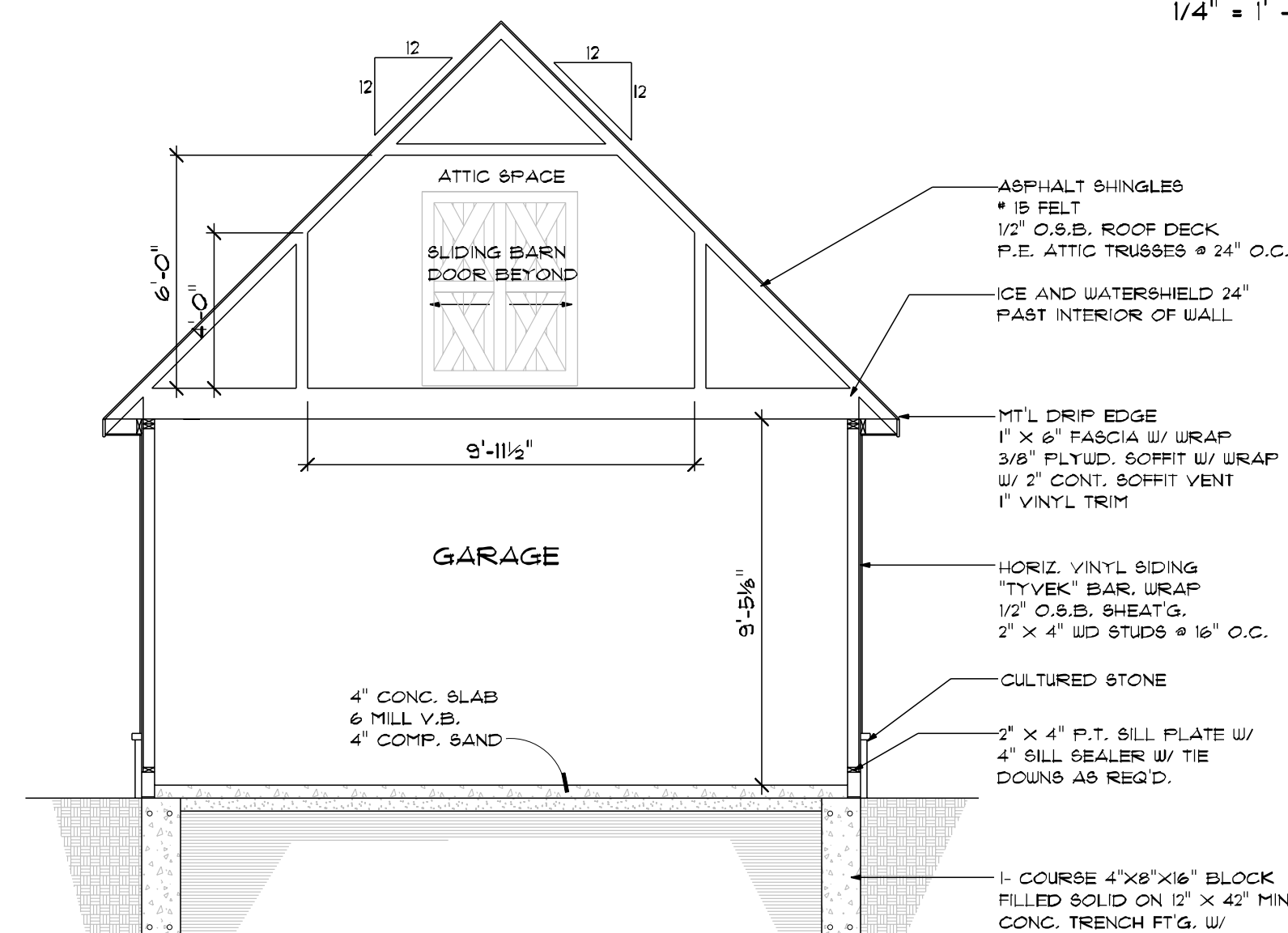
FRONT ELEVATION

1/4" = 1' - 0"



REAR ELEVATION

1/4" = 1' - 0"



GARAGE CROSS SECTION

1/4" = 1' - 0"

GENERAL NOTES - MICHIGAN RESIDENTIAL CODE - 2015

Consult Design Office for meaning of any symbol or abbreviation not defined. The Design Office shall determine governing information if a conflict should occur between various contract documents. Although every precaution has been taken in the preparation of these drawings, the Design Office cannot guarantee against human error and omission. Therefore, the contractor should verify and use figured dimensions only. Do not scale drawings for construction. Any conflicts or questions that arise due to these drawings should be brought to the attention of the Design Office prior to construction.

The contractor shall verify all dimensions, elevations, materials, and conditions at the job site and shall notify the Design Office of any discrepancies, omissions, and / or conflicts before proceeding with the work.

All work shall be performed in a thoroughly, first class and workmanlike manner by mechanics skilled in their respective trades, and shall conform to the standards of recognized trade associations. The contractor shall visit the site and check all existing conditions prior to commencing his work. The contractor shall be responsible for the coordination of work by all trades involved in the project.

The contractor shall secure and pay for all necessary permits and fees required in the performance of his work.

Unless noted otherwise, (I.N.C.) Dimensions are from finish face to finish face. Nominal thickness dimensions are used for masonry. Interior frame partition thickness to be 4-1/2", (2 x 4 wood stud) I.N.C.

Steel shall be domestic A8TM-36.

Dimensional framing lumber shall be No.1 Douglas Fir-Spruce (North) surfaced dry or No.2 Hem-Fir (North) surfaced dry or No.2 Southern Pine kiln dried. Minimum extreme fiber bending stress of 1200 P.S.I.

Structural Laminated Wood Beams (GLU-LAM-B) shall be 24F Southern Pine with extreme fiber bending stress of 2400 P.S.I.

MICRO-LAM Beams shall have an extreme fiber bending stress of 2800 P.S.I., as manufactured by "TRUSS JOIST CORP." or equal.

Interior finishes shall be determined by owner or his representative.

R102.1.4 TRUSS DESIGN DATA. As an alternative to the submission of truss design drawings, the truss design data sheet may be provided to the building official as part of the construction documents at the time of application. Truss design drawings shall be submitted to the building official prior to truss installation as required by Section R802.10.1

R301.5 Live load. The minimum uniformly distributed live load shall be as provide in Table R301.5.

Attics without storage (b): 10 pounds per square foot. Table R301.5

b. Attics without storage are those where the minimum clear height between joist and rafter is less than 42 inches, or where there are not two or more adjacent trusses with the same web configuration capable of containing a rectangle 42 inches high by 2 feet wide, or greater, located within the plane of the truss. For attics without storage, this live load need not be assumed to act concurrently with any other live load requirements.

g. For attics with limited storage and constructed with trusses, this live load need be applied only to those portions of the bottom chord where there are two or more adjacent trusses with the same web configuration capable of containing a rectangle 42 inches high or greater, by 2 feet wide or greater, located within the plane of the truss. The rectangle shall fit between the top of the bottom chord and the bottom of any other truss member, provided that each of the following criteria is met:

1. The attic area is accessible by a pull-down stairway or framed opening in accordance with Section R801.1, and
2. The truss has a bottom chord pitch less than 2:12.

h. Attic spaces served by a fixed stair shall be designed to support the minimum live load specified for sleeping rooms.

R303.1 Ventilation required minimum operable area to the outdoors shall be 4% of the floor area being ventilated.

R305.1 Minimum ceiling height 7'-0".

R308.6 GLAZING. All windows in which the bottom edge is less than 18" above the floor shall be tempered safety glass as specified in section R308.

R308.4 Hazardous Locations. Safety glazing in doors and adjacent to doors within the same wall space. Safety glazing in fixed panels more than 9 square feet with the lowest edge less than 18" to floor. Safety glass in walls enclosing bathroom, showers and whirlpool.

R308.6 Safety glazing in skylights, roofs and sloped glazing. Skylights and sloped glazing shall comply with the following tables: R308.6.1 through R308.6.5.

EMERGENCY ESCAPE AND RESCUE OPENINGS

R310.1 Emergency escape and rescue required. Basements with habitable space and every sleeping room shall have at least one operable emergency escape and rescue opening. Where basements contain one or more sleeping rooms, emergency egress and rescue openings shall be required in each sleeping room, but shall not be required in adjoining areas of the basement. Where emergency escape and rescue openings are provided they shall have a sill height of not more than 44 inches above the floor. Where a door opening having a threshold below the adjacent ground elevation serves as an emergency escape and rescue opening and is provided with a bulkhead enclosure, the bulkhead enclosure shall comply with Section 310.3. The net clear opening dimensions required by this section shall be obtained by the normal operation of the emergency escape and rescue opening from the inside. Emergency escape and rescue openings with a finished sill height below the adjacent ground elevation shall be provided with a window well in accordance with Section R310.2.

R310.1.1 Minimum opening area. All emergency escape and rescue openings shall have a minimum net clear opening of 5.7 square feet.

Exception: Grade floor openings shall have a minimum net clear opening of 5 square feet.

R310.1.2 Minimum opening height. The minimum net clear opening height shall be 24".

R310.1.3 Minimum opening width. The minimum net clear opening width shall be 20".

R310.1.4 Operational constraints. Emergency escape and rescue openings shall be operational from the inside of the room without the use of keys, tools or special knowledge.

R310.2 Window wells. The Minimum horizontal area of the window well shall be 9 square feet, with a minimum horizontal projection and width of 36 inches. The area of the window well shall allow the emergency escape and rescue opening to be fully opened.

Exception: The ladder or steps required by Section R310.2.1 shall be permitted to encroach a maximum of 6" into the required window wells with a vertical depth greater than 44 inches shall be equipped with a permanently affixed.

R310.2.1 Ladder and steps. Window wells with a vertical depth greater than 44 inches shall be equipped with a permanently affixed ladder or steps usable with the window in the fully opened position. Ladders or steps required by this section shall not be required to comply with Sections R311.4 and R311.6. Ladders or rungs shall have an inside width of at least 12", shall project at least 3" from the wall and shall be spaced not more than 18" on center vertically for the full height of the window well.

R310.3 Bulkhead enclosures. Bulkhead enclosures shall provide direct access to the basement. The bulkhead enclosure with the door panels in the fully open position shall provide the minimum net clear opening required by Section R310.1.1. Bulkhead enclosures shall also comply with Section R311.5.2.

R310.4 Bars, grilles, covers and screens. Bars, grilles, covers and screens or similar devices are permitted to be placed over emergency escape and rescue openings, bulkhead enclosures, or window wells that serve such openings, provided the minimum net clear opening size complies with Sections R310.1.1 to R310.1.3, and such devices shall be releasable or removable from the inside without the use of a key, tool or force greater than that which is required for normal operation of the escape and rescue opening.

BUILDER/OWNER INFO:
NOTE: BUILDER TO VERIFY ALL DIMENSIONS BEFORE WORK BEGINS. BUILDER TAKES FULL RESPONSIBILITY OF DRAWINGS AND CONSTRUCTION OF BUILDING.

Item A
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HOUSE PLAN:

SCALPONE RESIDENCE

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TOTAL SQ.FT.: (HOUSE BILL 5819)	2639.00
UN-HABITABLE SQ.FT.	1153.00
TOTAL HABITABLE SQ.FT.	1486.00
PROJECT NO.:	1271-2021
SCALE:	1/4" = 1' - 0"
ORIGINAL PLAN SET DATE:	09-20-2021
REVISION PLAN SET DATE:	11/9/2022
SHEET NO.:	A-6

RECEIVED

Item A.

APPLICATION FOR BUILDING PERMIT AND PLAN EXAMINATION

JUL 01 2022

Charter Township of White Lake
7525 Highland Road • White Lake, MI 48383
(248) 698-3300



BUILDING DEPARTMENT

Authority: P.A. 230 OF 1972, as amended
Completion: Mandatory to obtain permit
Penalty: Permit will not be issued
This department will not discriminate against any individual or group because of race, sex, religion, age, national origin, color, marital status, handicap, or political beliefs.

APPLICANT TO COMPLETE ALL ITEMS

NOTE: SEPARATE APPLICATIONS MUST BE COMPLETED FOR PLUMBING, MECHANICAL, AND ELECTRICAL PERMITS

APPLICATION DATE: 6/16/2022
IS OWNER APPLICANT? [] YES [X] NO

PROPERTY INFORMATION

STREET ADDRESS OF PROJECT: 11071 BERYL DRIVE
APT. #:
PARCEL I.D. NUMBER: 12-33-278-010
ZONING:

OWNER INFORMATION

LAST NAME OR BUSINESS NAME: SCALPONE
FIRST NAME: DAVID & JEANINE
PHONE NUMBER: 248-910-2481
STREET ADDRESS: 11071 BERYL DRIVE
CITY: WHITE LK TWP
STATE: MI
ZIP CODE: 48386

APPLICANT INFORMATION


Table with columns: OWNER OR LESSEE, CONTRACTOR. Includes fields for Owner/Company Name, Contact Name, License Number, Street Address, City/State/Zip, Phone, Email, Architect/Engineer Name (RESSLER DESIGN INC.), License Number, Federal Employer ID Number (46-5120281), Workers Comp. Insurance Carrier (LIBERTY MUTUAL), and MESC Number.

BUILDING AND PROPERTY CHARACTERISTICS

DESCRIBE IN DETAIL WORK TO BE DONE:		TYPE OF IMPROVEMENT:	
ENLARGE AND ALTER EXISTING STRUCTURE (HOUSE) TO CONSTRUCT A FIRST AND SECOND STORY ADDITION.		<input type="checkbox"/> FENCE <input type="checkbox"/> DECK <input type="checkbox"/> ROOF <input type="checkbox"/> NEW SINGLE FAMILY HOME <input checked="" type="checkbox"/> ALTERATION/REPAIR <input checked="" type="checkbox"/> ADDITION <input type="checkbox"/> DEMOLITION <input checked="" type="checkbox"/> GARAGE <input type="checkbox"/> ACCESSORY STRUCTURE <input type="checkbox"/> WINDOWS/DOORS	
REMOVE EXISTING DETACHED GARAGE & CONSTRUCT A NEW 2-CAR GARAGE			
USE GROUP: <input checked="" type="checkbox"/> RESIDENTIAL <input type="checkbox"/> COMMERCIAL <input type="checkbox"/> OTHER: _____		VALUE OF IMPROVEMENT: Per S.M.	
CONSTRUCTION TYPE:		\$ 550,000 425,000	
LOT SIZE -- FRONT: 45 LAKESIDE	REAR: 53 STREET	SIDE: 136	SIDE: 143
TOTAL SQ. FT. OF LOT: APPROX. 6,860			
PROPOSED SETBACKS -- FRONT: 47.6 LAKESIDE	REAR: 41.5 STREET	SIDE: 11.1	SIDE: 5.4
SQ. FT. OF PROPOSED CONST. -- GARAGE: 444	1 ST FLOOR: 1,365	2 ND FLOOR: 1,274	TOTAL: 3,083
SQ. FT. OF EXISTING STRUCTURES -- GARAGE: ?	1 ST FLOOR:	2 ND FLOOR:	TOTAL: LIVING = 1,446
TOTAL HEIGHT & # OF STORIES: 29 FT / 2 STORIES	NO. OF EXISTING BEDROOMS: 3	NO. OF PROPOSED BEDROOMS: 3	TOTAL NO. OF BEDROOMS: 3

I hereby certify that the proposed work is authorized by the owner of record and that I have been authorized by the owner to make this application as his/her authorized agent; and we agree to conform to all applicable laws of this jurisdiction. The applicant signing this application is aware that (s)he assumes full responsibility for insuring that all work done complies with all applicable codes and ordinances.

Section 23a of the state construction code act of 1972, 1972 PA 230, MCL 125.1523a, prohibits a person from conspiring to circumvent the licensing requirements of this state relating to persons who are to perform work on a residential building or a residential structure. Violators of section 23a are subject to civil fines.

SIGNATURE OF APPLICANT 	PHONE 248-882-4388
PRINT APPLICANTS NAME MINTZER BUILDING Co. STERLING MINTZER	
ADDRESS, CITY, STATE, ZIP 4683 RAVINEWOOD DR COMMERCE TWP MI 48382	

BUILDING AND ZONING PERMIT REGULATIONS

- A Certificate of Occupancy must be obtained before occupying the building.
- The Builder and property owner are responsible for drainage and grade on the construction site.
- The Builder and property owner are responsible for lot line and proper setbacks as approved by White Lake Township.
- The lot is properly marked (properly marked is a visible address with the lot number and permit number that can be clearly seen from the road)
- The job site must be clean with a safe access for the inspectors. The road must be cleaned and maintained properly (this includes snow removal).

HOMEOWNER AFFIDAVIT


As the bona fide owner of the above mentioned property which is a single residence, and which is, or will be on completion, my place of residence and no part of which is used for rental or commercial purposes nor is now contemplated for such purpose, I hereby make application for an owner's permit to install:

_____ as listed on this permit application.

I certify that I am familiar with the provisions of the applicable Ordinance and the rules governing the type of installation which is contemplated at the above mentioned location and hereby agree to make the installation in conformance with the Ordinance. In making the application, I realize I am assuming the responsibility of a licensed contractor for the installation of the work mentioned in the permit application and for putting the equipment in operation. I further agree that I shall neither hire any other person for the purpose of installing any portion of the _____ or related equipment at the above premises, nor sub-contract to any other person, firm or corporation the installation of any portion of the above equipment.

HOMEOWNER NAME/SIGNATURE:

LOCAL GOVERNMENTAL AGENCY TO COMPLETE THIS SECTION

	REQUIRED?
A. ZONING	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
B. SOIL EROSION	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
C. FLOOD ZONE	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
D. WATER SUPPLY	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
E. SEPTIC SYSTEM	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
F. VARIANCE GRANTED	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
G. DRIVEWAY PERMIT	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
USE GROUP: _____	PLAN REVIEW FEES: _____
TYPE OF CONSTRUCTION: _____	BUILDING PERMIT FEES: _____
SQUARE FEET: _____	FEE TOTAL: _____
APPROVAL SIGNATURE: 	NUMBER OF INSPECTIONS: _____
TITLE:	DATE: 7/12/22



**Scanned to
 LASERFICHE**

Building

PERMIT: P22-01572

Issue Date: 07/13/2022

Square Footage:

Expiration Date: 07/12/2024

Construction Cost 425,000.00

Owner SCALPONE, DAVID

Contractor MINTZER BUILDING

Applicant MINTZER BUILDING

Description of Work BUILDING PERMIT FOR RESIDENTIAL RENOVATION AND ADDITION TOTALING 2,639 SQ FT WITH 444 SQ FT DETACHED GARAGE

- Stipulations
1. See additional notes on plans
 2. Subject to ZBA approvals and conditions from January 27, 2022
 3. 3rd party soils engineer onsite or report prior to footings may be required
 4. Grading and drainage shall not impact adjacent properties
 5. Foundation certification required prior to backfill
 6. 6 mil. crawl space vapor per MRC R408.3
 7. Smoke and carbon monoxide detectors per 2015 MRC, see MCL 125.1504f for location and marked on print
 8. Provide alternative bracing and hold-down method per shear wall detail on A-10
 9. Engineered roof truss, floor truss, approved building plans and energy code worksheet on site for inspections
 10. C of O subject to approved blower door test, property as-built and grade certification
 11. Maintain soil erosion control until ground cover is established

Address/Location 11071 BERYL DR

Parcel # Y -12-33-278-010

Permit Item	Work Type	Fee Basis	Item Total
Review Fee	Standard Item	1.00	100.00
Miscellaneous	Standard Item	425,000.00	2,644.00
Fee Total:			\$2,744.00
Amount Paid:			\$0.00
Balance Due:			\$2744.00

Building Department
 By

(248) 698-3300	APPROVED PLANS MUST BE RETAINED ON THE JOB AND THIS CARD KEPT POSTED UNTIL INSPECTION HAS BEEN MADE. WHERE A CERTIFICATE OF OCCUPANCY IS REQUIRED, SUCH BUILDING SHALL NOT BE OCCUPIED UNTIL FINAL INSPECTION HAS BEEN MADE.	WHERE APPLICABLE SEPARATE PERMITS ARE REQUIRED FOR ELECTRICAL, PLUMBING AND MECHANICAL INSTALLATIONS.
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PAID
 CASH CHECK# 3798

JUL 15 2022

TREASURER
 CHARTER TWP. OF WHITELAKE

**WHITE LAKE TOWNSHIP
ZONING BOARD OF APPEALS
REGULAR MEETING
JANUARY 27, 2022**

CALL TO ORDER

Chairperson Spencer called the meeting to order at 7:00 P.M. She then led the Pledge of Allegiance.

ROLL CALL

Present:

Clif Seiber
Debby Dehart, Planning Commission Liaison
Kathleen Aseltyne
Niklaus Schillack
Jo Spencer, Chairperson

Absent:

Michael Powell, Township Board Liaison

Others:

Justin Quagliata, Staff Planner
Hannah Micallef, Recording Secretary

15 members of the public present

APPROVAL OF AGENDA

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

APPROVAL OF MINUTES:

- a. Zoning Board of Appeals Regular Meeting of December 9, 2021

Staff Planner Quagliata noted on page 6, the public hearing should read closed at 8:45 P.M.

**MOVED by Member Schillack, SUPPORTED by Member Seiber to approve the Zoning Board of Appeals
Regular Meeting Minutes of December 9, 2021 as amended.
The motion CARRIED with a voice vote (5 yes votes).**

NEW BUSINESS:

- A. Applicant: Meghan & Mike Macy**
9396 Beechcrest Drive
White Lake, MI 48386
Location: 9396 Beechcrest Drive
White Lake, MI 48386 identified as 12-35-201-011
Request: The applicant requests to install a privacy fence exceeding the allowed height, requiring a variance from Article 5.12.D.ii, Fences, Walls and Other Protective Barriers.

Chairperson Spencer noted for the record that 32 owners within 300 feet were notified. 0 letters were received in favor, 1 letter was received in opposition, and 0 letters were returned undeliverable from the U.S. Postal Service.

Staff Planner Quagliata presented his staff report.

Member Schillack asked staff if the survey was sealed and how an unsealed survey would affect the requested variance. Staff Planner Quagliata stated the survey was not sealed, and the ordinance required a signed and sealed survey.

Member Seiber asked staff if the 4-foot maximum fence height on lakefront lots was to improve visibility. Staff Planner Quagliata confirmed, and stated the ordinance was also written to improve aesthetics on the lake as well.

Member Dehart asked staff where the grade was measured from. Staff Planner Quagliata stated the zoning ordinance defined grade as “Finished ground level. When the word “grade” is used herein in relation to “building grade,” “established grade,” or “average grade,” it shall mean the level of the ground adjacent to the Structure if the ground is level. If the ground is not level, the Finished Grade shall be determined by averaging the elevation of the ground for each side of the Structure using the highest and lowest point of each side, as measured five feet from the exterior walls of the Structure.”

Megan and Mike Macy were present to speak on their case. Mrs. Macy said her family moved into a unique situation, and their neighbor was hostile. She did not feel comfortable in her backyard with her children outside and the neighbor’s security cameras pointed at her house and children. She said the camera followed the children around the yard. She stated she was pleading for privacy and protection. The fence would also block the view of the blight in the neighbor’s yard.

Member Seiber asked the applicant if the additional 2 feet on the fence would block the camera mounted on the neighbor’s second floor. Mr. Macy said the additional 2 feet of fence would block another camera on the neighbor’s property. The neighbor also sat on his patio and stared at their children.

Member Schillack asked the applicant why not arborvitaes instead of a fence. Mr. Macy said a fence was immediate, while the arborvitaes would have to grow. Their landscaper also said arborvitaes would be harder to grow in that area due to drainage concerns. Mrs. Macy said the neighbor had been aggressive with her family since they moved in. Mr. Macy added a 6-foot fence would help mitigate some of the overgrowth from the neighbor’s yard.

Member Aseltyne stated anyone on a lake had their privacy minimized because lake lots were usually small, and the applicant's situation was not unique.

Chairperson Spencer opened the public hearing at 7:23 P.M.

Ryan Perry, 9436 Beechcrest Drive, spoke in support of the applicant's variance request.

Elizabeth Mason, 9452 Beechcrest Drive, spoke in support of the applicant's variance request.

Chairperson Spencer stated there was one letter from Vincent Cytacki in opposition of the request.

Chairperson Spencer closed the public hearing at 7:27 P.M.

Member Schillack stated he understood the applicant's concern, but there were other alternative options that would be available to the applicant.

Member Seiber stated he understood the additional 2 feet on the fence would help somewhat, but it would not shield the remaining camera. He added the neighbor had rights too, and the ordinance was written to protect the views for all lakefront owners.

Member Dehart stated she understood the applicant's concern, and suggested the applicants look into planting arborvitae or seek legal counsel.

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

A. Practical Difficulty

- Chairperson Spencer said she did not find a practical difficulty.
- Member Schillack said as a parent, the situation was tough but the standards were based off of the property.
- Member Seiber said the request was not related to topography or the lot.

B. Unique Situation

- Chairperson Spencer said even though she understood the applicant's request, she could not find a unique situation.

C. Not Self-Created

- Chairperson Spencer said there were alternatives to a 6-foot fence that would be effective.

D. Substantial Justice

- Member Seiber said he did not see any other lakefront lots in the area that had a fence height over 4 feet.

E. Minimum Variance Necessary

- Member Dehart said practical difficulty was not proven for the site.

Member Seiber MOVED to deny the variances requested by Meghan and Mike Macy for Parcel Number 12-35-201-011, identified as 9396 Beechcrest Drive, due to the following reason(s):

- **Failure to meet the standards from Article 7, Section 37 of the zoning ordinance.**

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

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

Location: **368 Lakeside Drive**

White Lake, MI 48386 identified as 12-22-428-003

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 Width. A variance from Article 7.28.A, Repairs and Maintenance to Nonconforming Structures is required due to both the value of improvements and the increase in cubic content.

Chairperson Spencer noted for the record that 18 owners within 300 feet were notified. 0 letters were received in favor, 0 letters were received in opposition, and 0 letters were returned undeliverable from the U.S. Postal Service.

Staff Planner Quagliata presented his staff report.

Member Schillack asked staff if there were any issues with the addition going up instead of being indented into the existing house. Staff Planner Quagliata said no. Member Schillack asked staff if the existing house was legal nonconforming. Staff Planner Quagliata confirmed.

Member Dehart asked staff if the subject site was serviced by well and septic. Staff Planner Quagliata confirmed. The septic field was 15 feet from the existing house.

Mr. Epley from Epley Custom Design was present to speak on his case. He said the plans presented were preliminary. He said the north side of the site was an issue, and wanted to go vertical with the addition because the existing house was legal nonconforming. He added that it would cost more to inset the second-story addition. He said the house would lose fluidity if the addition was moved to the west.

Chairperson Spencer opened the public hearing at 7:52 P.M. Seeing no public comment, she closed the public hearing at 7:52 P.M.

Member Seiber stated the width of the lot was only 50 feet, and the lot was zoned for 80 feet. He appreciated the applicant moving the sides of the addition in to minimize the variance.

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

A. Practical Difficulty

- Member Dehart said the site was narrow and the location of the septic demonstrated a practical difficulty.
- Member Schillack said while it was difficult, he still saw an envelope on the property that the addition could be built on without varying the ordinance.

B. Unique Situation

- Chairperson Spencer said she did not see a unique situation.
- Member Schillack said the subject site seemed similar to the lots around it.

- C. Not Self-Created
 - Member Seiber said the lot was nonconforming, which was not self-created.
- D. Substantial Justice
 - Member Dehart said other houses in the neighborhood had utilized more of the space on their parcels.
- E. Minimum Variance Necessary
 - Member Dehart said the minimum would be to bring the addition in to meet the 10-foot side yard setbacks. Member Schillack and Chairperson Spencer agreed.

Member Dehart MOVED to approve the variances requested by Michael Epley from Articles 3.1.6.E, 7.23.A, and 7.28.A of the Zoning Ordinance for Parcel Number 12-22-428-003, identified as 368 Lakeside Drive, in order to construct a second-story addition. A variance from Article 7.23.A is granted to allow the second-story addition to encroach 5 feet into the required setback from the north side lot line and 4 feet into the required setback from the south side lot line. A variance from Article 7.28.A is also granted to exceed the allowed value of improvements to a nonconforming structure by 849%. A 20-foot variance from the required lot width is also granted from Article 3.1.6.E. This approval will have the following conditions:

- **The Applicant shall obtain all necessary permits from the White Lake Township Building Department.**
- **In no event shall the projection of the roof overhang be closer than five feet to the east and west side lot lines.**
- **An as-built survey shall be required to verify the roof overhang setback from the north and south side lot lines.**
- **No mechanical units, including HVAC system or generator, shall be placed closer than five (5) feet to any side yard lot line.**

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

- C. Applicant: David Scalpone
11071 Beryl Drive
White Lake, MI 48386
Location: **11071 Beryl Drive**
White Lake, MI 48386 identified as 12-33-278-010
Request: The applicant requests to enlarge and alter a nonconforming structure (house) to construct a first and 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 and Minimum Lot Width. A variance from Article 5.7.A, Accessory Buildings or Structures in Residential Districts is required for the setback between the principal building and accessory building. A variance from Article 7.28.A, Repairs and Maintenance to Nonconforming Structures is required due to both the value of improvements and the increase in cubic content.

Member Dehart indicated the applicant were neighbors and she did not stand to gain from the outcome of the variance request.

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

Staff Planner Quagliata presented his staff report.

Member Schillack stated he did not find applicant's variance requests were based on the property.

Member Dehart asked staff if the variance request for the garage could be considered this evening. Staff Planner Quagliata stated the ZBA would not grant the garage a side yard setback variance, and it would remain nonconforming.

Member Aselyne said she was concerned the proposed design not fitting in with the rest of the houses in the area. The addition would also increase the impervious surface on the lot, which could potentially lead to drainage issues in the future.

Chairperson Spencer said the ZBA was charged with eliminating nonconformities and not adding to them.

David and Jeanine Scalpone were present to speak on their case. Mrs. Scalpone said the house was built in the 1940s, and the addition was put on in 1994. Because of the addition, the crawlspace was unreachable. The variance request would help them get to the crawl space and ensure it remained structurally sound. She added they would hook up to the sewer, and would make the house more environmentally safe.

Member Schillack asked the applicant why connecting to the sewer was related to the construction. Mrs. Scalpone said without the construction, the crawl space could not be accessed to connect to sewer.

Chairperson Spencer opened the public hearing at 8:34 P.M.

Jill Pollans, 11011 Beryl Drive, spoke in support of the applicant's variance request.

Chairperson Spencer closed the public hearing at 8:36 P.M.

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

A. Practical Difficulty

- Chairperson Spencer said the lot was nonconforming, but the ZBA was charged with eliminating nonconformities, and allowing the structure to be altered and enlarged went against what the ZBA was charged to do.
- Member Dehart said the lot was a practical difficulty, and the structure was also because of its shape.

B. Unique Situation

C. Not Self-Created

- Member Dehart said the applicant did not create the lot.
- Member Seiber said the lot was only 53 feet wide.

D. Substantial Justice

- Member Dehart said other houses on Castlewood Drive were enlarged at one point as well.

E. Minimum Variance Necessary

Member Seiber MOVED to approve the variances requested by David Scalpone from Articles 3.1.6.E, 5.7.A, 7.23.A, and 7.28.A of the Zoning Ordinance for Parcel Number 12-33- 278-010, identified as 11071 Beryl Drive, in order to construct an addition. Variances from Article 7.23.A are granted to allow: the addition to encroach 3.6 feet into the required setback from the east side lot line; to allow the garage to encroach 5 feet into the required setback from the west side lot and 20 feet into the required setback from the front lot line; and to exceed the allowed lot coverage by 7.68%. A variance from Article 7.28.A is also granted to exceed the allowed value of improvements to a nonconforming structure by 1,115%. A 27-foot variance from the required lot width and a 5,161 square foot variance from the required lot size are also granted from Article 3.1.6.E. A 2.5-foot variance from Article 5.7.A is also granted to allow the house to encroach into the required setback from the garage. This approval will have the following conditions:

- **The Applicant shall obtain all necessary permits from the White Lake Township Building Department.**
- **In no event shall the projection of any roof overhang be closer than five (5) feet to the east and west side lot lines.**
- **No mechanical units, including HVAC system or generator, shall be placed closer than five (5) 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.**
- **The nonconforming shed, including the concrete pad, shall be demolished and removed from the property.**

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

Mrs. Scalpone said the property next to theirs would never be built on as it was the association's lot. She did not want to touch the garage at all, and moving the garage would be a bigger financial cost.

Member Seiber MOVED TO approve the variances requested by David Scalpone from Articles 3.1.6.E, 5.7.A, 7.23.A, and 7.28.A of the Zoning Ordinance for Parcel Number 12-33- 278-010, identified as 11071 Beryl Drive, in order to construct an addition. Variances from Article 7.23.A are granted to allow: the addition to encroach 3.6 feet into the required setback from the east side lot line; to allow the garage to encroach 5 feet into the required setback from the west side lot and 20 feet into the required setback from the front lot line; and to exceed the allowed lot coverage by 7.68%. A variance from Article 7.28.A is also granted to exceed the allowed value of improvements to a nonconforming structure by 1,115%. A 27-foot variance from the required lot width and a 5,161 square foot variance from the required lot size are also granted from Article 3.1.6.E. A 2.5-foot variance from Article 5.7.A is also granted to allow the house to encroach into the required setback from the garage. This approval will have the following conditions:

- **The Applicant shall obtain all necessary permits from the White Lake Township Building Department.**
 - **The west side wall of the garage shall be removed and reconstructed to establish a five-foot side yard setback, which shall be measured from the roof overhang of the garage.**
 - **In no event shall the projection of any roof overhang be closer than five (5) feet to the east and west side lot lines.**
 - **No mechanical units, including HVAC system or generator, shall be placed closer than five (5) 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.**
 - **The nonconforming shed, including the concrete pad, shall be demolished and removed from the property.**

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

OTHER BUSINESS

A. Zoning Ordinance Discussion

Chairperson Spencer said she was in favor of making the sign ordinance more restrictive than it currently was. Staff Planner Quagliata stated the ZBA could recommend changes to the Planning Commission, and then the Planning Commission would have to hold a public hearing if it wanted to recommend ordinance amendments to the Township Board.

Member Seiber excused himself at 9:13 P.M.

Chairperson Spencer said in 2019, the ZBA heard 16 cases. In 2020, they heard 34 cases, and in 2021 heard 47 cases. She added she would like to table the zoning ordinance discussion until more research was done. Staff Planner Quagliata offered to provide more information.

B. Election of Officers

Member Schillack nominated Jo Spencer to serve as Chairperson of the White Lake Township Zoning Board of Appeals for the remainder of 2022. Member Aseltyne SUPPORTED, and the motion CARRIED with a roll call vote (4 yes votes):

(Dehart/yes, Aseltyne/yes, Schillack/yes, Spencer/yes).

Member Aseltyne nominated Niklaus Schillack to serve as Vice-Chairperson of the White Lake Township Zoning Board of Appeals for the remainder of 2022. The motion CARRIED with a roll call vote (4 yes votes):

(Aseltyne/yes, Dehart/yes Spencer/yes, Schillack/yes).

The ZBA took a recess 9:24 P.M. The ZBA returned from recess at 9:33 P.M.

C. Member Schillack Citizen Planner Presentation

Member Schillack presented his Citizen Planner presentation.

ADJOURNMENT

**MOVED by Member Aseltyne, SUPPORTED by Member Dehart to adjourn the meeting at 9:55 P.M.
The motion CARRIED with a voice vote (4 yes votes).**

NEXT MEETING DATE: February 24, 2022 Regular Meeting

Justin Quagliata

From: A B <ajb634@gmail.com>
Sent: Thursday, November 3, 2022 4:08 PM
To: Justin Quagliata; Nick Spencer
Subject: Extension on ZBA Approval

Hello Nick and Justin,

We find ourselves in the unfortunate position of having to request an extension on the approval granted to us by the White Lake Zoning Board of Appeals in May of this year.

Despite our best efforts and attempting to secure a contract with a licensed builder (8 different builders in total) we were not successful until just a week ago. We will be unable to secure the initial permits required to begin work on our project prior to our current approval's expiration date. We are submitting this request as we recently learned that the ZBA does not have a scheduled meeting in the month of November but instead our next opportunity to request the needed extension will be at the meeting in December.

We would appreciate being added to the December agenda with the exact same plan package that was provided to the board back in May. Please let us know if you still have a copy of that or if we should provide the documentation ourselves.

Thank you,

Andrew Bienkowski & Rachel Menard

**WHITE LAKE TOWNSHIP
ZONING BOARD OF APPEALS
REGULAR MEETING
MAY 26, 2022**

CALL TO ORDER

Chairperson Spencer called the meeting to order at 7:00 P.M. She then led the Pledge of Allegiance.

ROLL CALL

Present:

Clif Seiber

Kathleen Aseltyne

Debby Dehart, Planning Commission Liaison

Niklaus Schillack, Vice Chairperson

Jo Spencer, Chairperson

Others:

Justin Quagliata, Staff Planner

Nick Spencer, Building Official

Hannah Micallef, Recording Secretary

9 members of the public present

APPROVAL OF AGENDA

Member Schillack requested to move New Business 7a to New Business item 7c.

**MOVED by Member Schillack, SUPPORTED by Member Aseltyne, to approve the agenda as amended. The motion CARRIED with a roll call vote (5 yes votes):
(Schillack/yes, Aseltyne/yes, Dehart/yes, Seiber/yes, Spencer/yes).**

APPROVAL OF MINUTES:

- a. Zoning Board of Appeals Regular Meeting of April 28th, 2022

**MOVED by Member Dehart, SUPPORTED by Member Seiber to approve the Zoning Board of Appeals Regular Meeting Minutes of April 28th, 2022 as presented.
The motion CARRIED with a voice vote (5 yes votes).**

CONTINUING BUSINESS:

- A. Applicant: Andrew Bienkowski and Rachel Menard
2230 Wiggen Lane
White Lake, MI 48386
Location: **2230 Wiggen Lane**
White Lake, MI 48386 identified as 12-14-231-003
Request: The applicant requests to construct a single-family house, requiring variances from Article 3.1.6.E, R1-D Single Family Residential Front-Yard Setback, Side-Yard Setback, Rear-Yard Setback, and Maximum Lot Coverage. A variance from Article 3.11.Q, Natural Features Setback is also required.

Staff Planner Quagliata presented his staff report.

Member Schillack asked staff if a plot plan was required. Staff Planner Quagliata said yes, a plot plan was required, but a plot plan was not submitted with the building permit application.

Member Schillack asked staff how many stories the house had according to the ordinance. Staff Planner Quagliata said the house as proposed on the plan was three stories. The Building Official did not receive architectural or plot plans at the time of the application submittal.

Chairperson Spencer stated if another application were to come forward with insufficient data, she would table or deny the case immediately. She was opposed to staff having to piecemeal applications together. Member Schillack agreed, and said it was not fair for the neighbors who came to the meetings to have to come back again.

Rachel Menard and Andrew Bienkowski, applicants, were present to speak on their case. Ms. Menard stated she was unaware the elevations needed to be revised. She said the square footage of the house and the natural features setback variance were reduced. Mr. Bienkowski said he was made aware of the third-story issue last Friday, and was willing to remove the basement to comply with height requirements. He stated the plot plan was the same plot plan submitted before the April meeting.

Staff Planner Quagliata said the issue was the plot plan was not provided at submittal in March prior to the April meeting.

Member Aseltyne asked the applicants what their practical difficulty was. Mr. Bienkowski said the practical difficulty was due to the pie-shaped lot.

Member Aseltyne asked staff if a covered front porch was included in the lot calculation. Staff Planner Quagliata confirmed.

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

- A. Practical Difficulty
 - Member Seiber said the pie-shape lot was not deep, and the shore line was a fan shape. The configuration of the lot was a practical difficulty.
- B. Unique Situation
 - Member Dehart agreed with Member Seiber’s previous comments regarding the lot’s configuration.
- C. Not Self-Created
 - Chairperson Spencer said the applicants were self-creating a problem due to the size of the house.
- D. Substantial Justice
 - Chairperson Spencer said a house that met the ordinance could be built.
- E. Minimum Variance Necessary

Staff Planner Quagliata said if the applicants removed the basement, the issue of height would be eliminated. The variances in regards to the setbacks and lot coverage would remain. The plans would be verified to ensure the height was in compliance.

Member Seiber MOVED to approve the variances requested by Andrew Bienkowski and Rachel Menard from Article 3.1.6.E of the Zoning Ordinance for Parcel Number 12-14- 231-003, identified as 2230 Wigger Lane, in order to construct a new house with an attached two-car garage that would exceed the allowed lot coverage by 8.25 percent, encroach 4 feet into the required front yard setback, 4 feet into the required side yard setback from the north lot line and 3.5 feet into the required side yard setback from the south lot line, and 5 feet into the required rear yard setback. This approval will have the following conditions:

- **The Applicant shall obtain all necessary approvals from the Oakland County Health Division prior to issuance of a building permit.**
- **The Applicant shall obtain all necessary permits from the White Lake Township Building Department, including a demolition permit to remove the existing building.**
- **The building height shall be reduced to 25 feet to comply with the Zoning Ordinance.**
- **No mechanical units, including HVAC system or generator, shall be placed within any side yard setbacks.**
- **The roofline along the sides of the building shall be guttered and down-spouted.**
- **The gutter system shall direct stormwater away from neighboring properties.**
- **In no event shall projections of the roof overhangs and gutters be closer than five feet to side lot lines.**
- **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.**
- **The nonconforming shed shall be removed from the property.**

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

NEW BUSINESS:

- A. Applicant: M.J. Whelan Construction
620 Milford Road
Milford, MI 48381
Location: **10245 Lakeside Drive**
White Lake, MI 48386 identified as 12-22-477-005
Request: The applicant requests to enlarge and alter a non-conforming 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 and Minimum Lot Width.

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

Staff Planner Quagliata presented his staff report. He stated the variance from Article 7.28.A, Repairs and Maintenance to Nonconforming Structures, was not required.

Alex Gulley, 620 Milford Road, was present to speak on behalf of M.J. Whalen Construction. He stated the existing chimney would be removed to help reduce encroachment into the side yard setback. There was an effort made to reduce nonconformities while making a functional and aesthetically pleasing house.

Member Schillack thanked the applicant for reducing the nonconformity. He asked the applicant why the second floor could not be inset to meet the side yard setback. Mr. Gulley said the triple doorwall was for the homeowner to enjoy the lake view. If the dormers on the west and east were pushed in, the size of the doorwall would be decreased. The doorwall was to enhance the value of the house in addition to being an aesthetic feature.

Chairperson Spencer opened the public hearing at 7:43 P.M. Seeing no public comment, she closed the public hearing at 7:44 P.M.

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

- A. Practical Difficulty
 - Chairperson Spencer stated the lot was nonconforming.
- B. Unique Situation
 - Member Dehart reiterated Chairperson Spencer's comments regarding the nonconforming lot.
- C. Not Self-Created
 - Chairperson Spencer said the applicant did not create the lot.
 - Member Schillack said the applicant was careful and chose to go up instead of out with the addition.
- D. Substantial Justice
 - Member Schillack said the addition would be similar to surrounding houses.
- E. Minimum Variance Necessary
 - Member Schillack said the applicant was requesting the minimum variance.

Member Aseltyne MOVED to approve the variances requested by M.J. Whelan Construction from Article 3.1.6.E and Article 7.23.A of the Zoning Ordinance for Parcel Number 12-22-477-005, identified as 10245 Lakeside Drive, in order to construct a second-story addition. A variance from Article 7.23.A is granted to allow: the addition to encroach 1.3 feet into the required setback from the west side lot line. A 37.50-foot variance from the required lot width and a 1,110 square foot variance from the required lot area are also granted from Article 3.1.6.E. This approval will have the following conditions:

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

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

- B. Applicant: Juergen Drengk
26136 Keith Street
Dearborn Heights, MI 48127
Location: **2940 Ripple Way**
White Lake, MI 48383 identified as 12-31-401-004
Request: The applicant requests to construct an accessory building, requiring variances from Article 5.7.C, Accessory Buildings or Structures in Residential Districts Maximum Wall Height and Maximum Building Height.

Chairperson Spencer noted for the record that 26 owners within 300 feet were notified. 0 letters were received in favor, 0 letters were received in opposition, and 0 letters were returned undeliverable from the U.S. Postal Service.

Staff Planner Quagliata presented his staff report. He stated the plans included in the packet reflecting building height were not drawn to scale.

Member Dehart asked staff if the height of the building could be reduced. Staff Planner Quagliata said the proposed wall height was 16 feet, and the proposed overhead door was 14 feet high.

Juergen Drengk, 26136 Keith Street, was present to speak on his case. He said he needed the 14-foot door for his RV. He needed 16-foot wall height for the roller tracks for the door to clear. He said he was going to use materials for the garage that would match the house.

Member Schillack asked the applicant if there was something about the lot that posed a practical difficulty. Mr. Drengk said he had only asked for a 1.5-to-2-foot variance.

Member Seiber asked the applicant if roof trusses were being used. Mr. Drengk confirmed. Member Seiber asked if scissor trusses could be used, or shifting the door toward the center of the building. Mr. Drengk said he was a car hobbyist and wanted access to the other doors, and that would not be feasible with scissor trusses. Member Seiber suggested rafters with collar ties as another alternative.

Chairperson Spencer opened the public hearing at 8:01 P.M. Seeing no public comment, she closed the public hearing at 8:01. P.M.

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

A. Practical Difficulty

- Member Seiber said the topography of the lot could lend itself to an accessory building that did not require variances, and he did not see a practical difficulty.
- Member Schillack said he did not see a practical difficulty related to the lot.

B. Unique Situation

- Chairperson Spencer said there was not a unique situation as there was no practical difficulty.

C. Not Self-Created

- Member Aseltyne said the request was self-created.

D. Substantial Justice

E. Minimum Variance Necessary

Chairperson Spencer said there was no practical difficulty.

Member Seiber MOVED to deny the variances requested by Juergen Drengk for Parcel Number 12-31-401-004, identified as 2940 Ripple Way, due to the following reason(s):

There was no practical difficulty demonstrated, and there were alternatives available to construct the accessory building that would provide the applicant the end result he desired and still remain in compliance with the ordinance.

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

- C. Applicant: Michelle Squires
9578 Buckingham Road White Lake, MI 48386
Location: **9578 Buckingham Road**
White Lake, MI 48386 identified as 12-14-201-014
Request: The applicant requests to allow a single-family house to exceed the maximum lot coverage, requiring a variance from Article 3.1.6.E, R1-D Single Family Residential Maximum Lot Coverage.

Chairperson Spencer noted for the record that 20 owners within 300 feet were notified. 0 letters were received in favor, 0 letters were received in opposition, and 0 letters were returned undeliverable from the U.S. Postal Service.

Staff Planner Quagliata presented his staff report.

Member Schillack asked staff if a building permit was still open on the property. Staff Planner Quagliata confirmed.

Member Dehart asked staff how the lot coverage issue occurred. Staff Planner Quagliata said the application submitted in 2020 was not accompanied by a survey, and the information used for lot area at the time was from Oakland County property records. Based on the survey submitted with the current variance application, the parcel was 12,910 square feet in size; Oakland County information indicated the parcel was approximately 13,111 square feet in size. There was a lot area discrepancy of 201 square feet. Additionally, the drawing provided with the 2020 variance application indicated proposed lot coverage was 3,739.10 square feet; however, the survey submitted with the current variance application indicated 4,190 square feet of lot coverage (451 square feet of additional lot coverage than considered in 2020).

Member Seiber asked staff if construction on the house related to the permits was completed. Staff Planner Quagliata said yes, but the permits had not been finalized out.

Member Dehart asked staff how much square footage would need to be removed to bring the lot coverage into compliance with the approved variances. Staff Planner Quagliata said the two covered porches and the shed were 421 square feet. The total unapproved square footage was 451 square feet.

Michelle Squires, 9578 Buckingham, was present to speak on her case. She said the shed near the driveway was there previously. She said she understood the as-built survey had to be submitted before permits could be finalized. She stated she “rolled the dice” when the footings were poured in 2020. She had the house built off of the variances and was unaware of the difference in the lot coverage.

Chairperson Spencer opened the public hearing at 8:32 P.M.

Nick Oosting, 9568 Buckingham, spoke in opposition of the applicant’s request.

Chairperson Spencer closed the public hearing at 8:33 P.M.

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

- A. Practical Difficulty
 - Member Seiber said the applicant followed the permits.
 - Chairperson Spencer said she did not see a practical difficulty related to the land.
- B. Unique Situation
 - Chairperson Spencer said the lot was one of the few conforming parcels.
 - Member Schillack said it was a double lot, and there was more room to build on this lot than others.
- C. Not Self-Created
 - Member Schillack said a survey was not presented when requested.
- D. Substantial Justice
 - Member Aselyne said a bad precedence would be set for the area.
- E. Minimum Variance Necessary
 - Chairperson Spencer said there was no practical difficulty.

Member Aselyne asked staff what repercussions of denial would be. Staff Planner Quagliata said results would be based on denial by the ZBA, which could include removal of square footage to reduce lot coverage.

Member Schillack MOVED to deny the post-construction variance requested by Michelle Squires for Parcel Number 12-14-201-014, identified as 9578 Buckingham Road, for the reasons stated at this hearing, including failure to meet the standards of Article 7, Section 37 of the Zoning Ordinance. The shed with overhang on the west side of the parcel, the shed on the east side of the parcel, the covered front porch, and covered/enclosed rear porch shall be demolished or otherwise removed from the property by July 25, 2022.

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

OTHER BUSINESS

None.

ADJOURNMENT

**MOVED by Member Aseltyne, SUPPORTED by Member Dehart to adjourn the meeting at 8:50
P.M. The motion CARRIED with a voice vote (5 yes votes).**

NEXT MEETING DATE: June 23, 2022 Regular Meeting