



ZONING BOARD OF APPEALS MEETING
LOCATION: TOWNSHIP ANNEX, 7527 HIGHLAND ROAD, WHITE LAKE, MICHIGAN, 48383
(FORMER WHITE LAKE LIBRARY)
THURSDAY, MAY 26, 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 April 28, 2022

6. 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.

7. NEW BUSINESS

A. 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.

B. 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 nonconforming structure (house) to construct a second story addition, requiring variances from Article 7.23.A, Nonconforming Structures and Article 3.1.6.E, R1-D Single Family Residential Minimum Lot Area and 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.



C.

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.

8. OTHER BUSINESS

9. **Next Meeting Date** : June 23, 2022 Regular Meeting

10. ADJOURNMENT

Procedures for accommodations for persons with disabilities: The Township will follow its normal procedures for individuals with disabilities needing accommodations for effective participation in this meeting. **Please contact the Township Clerk's office at (248) 698-3300 X-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
APRIL 28, 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
Tony Madaffer
Debby Dehart, Planning Commission Liaison
Niklaus Schillack, Vice Chairperson
Jo Spencer, Chairperson

Others:

Justin Quagliata, Staff Planner
Hannah Micallef, Recording Secretary

15 members of the public present

APPROVAL OF AGENDA

MOVED by Member Schillack, SUPPORTED by Member Dehart, 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 March 24th, 2022

MOVED by Member Seiber, SUPPORTED by Member Schillack to approve the Zoning Board of Appeals Regular Meeting Minutes of March 24th, 2022 as presented. The motion CARRIED with a voice vote (5 yes votes).

NEW BUSINESS:

- A. Applicant: Andrew Giles
672 N. Milford Road Suite 152
Highland, MI 48357
Location: **471 Hillwood Drive**
White Lake, MI 48383 identified as 12-21-452-015
Request: The applicant requests to construct an accessory building (garage), requiring a variance from Article 3.1.6.E, R1-D Single Family Residential Front-Yard Setback.

Chairperson Spencer noted for the record that owners within 300 feet were notified. 23 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. He noted the architectural plans did not scale.

Member Schillack asked staff about the submitted survey; he noted the well and septic field were not shown, and asked if identifying these items were required. Staff Planner Quagliata said yes; there was a checklist an applicant received with a building permit application requiring several different items be provided on a plan.

Benjamin Nelms, homeowner, was present to speak on behalf of his builder. Mr. Nelms said he was unaware the septic field and well were required to be identified on the plan. Mr. Nelms said the well was in the front of the house, and the septic field was in the rear of the house.

Mr. Schillack asked Mr. Nelms where the septic was in regard to the property lines. Mr. Nelms said the well was around 26 feet from the front property line, and the septic field was around 30 feet from the rear property line. He said his house was around 100 feet from Brendel Lake.

Staff Planner Quagliata said the topography was not shown on the survey.

Mr. Nelms said he wanted to build a garage for his children to play in it, and for his wife to park her vehicle in the winter.

Member Dehart asked Mr. Nelms if the orange traffic cones on his property were where the proposed garage was to be erected. Mr. Nelms confirmed, and said the walkway to the house would be redone during this project as well.

Member Seiber asked Mr. Nelms if there was to be a second floor on the proposed garage. Mr. Nelms said yes, and it would be used for storage with an attic access only. He would prefer storage tresses.

Member Schillack asked Mr. Nelms if he considered moving the garage closer to the house. Mr. Nelms said then he would have to consider the slope of the lot, and the slab was preexisting.

Chairperson Spencer opened the public hearing at 7:16 P.M.

Mike Krecek, 525 Hillwood, spoke in favor of the applicant's case.

Chairperson Spencer closed the public hearing at 7:18 P.M.

Member Seiber stated he understood the applicant's request based on the slope of the lot.

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

- A. Practical Difficulty
 - Chairperson Spencer said the topography of the lot posed a practical difficulty. Member Schillack and Member Dehart agreed.
- B. Unique Situation
 - Chairperson Spencer said the lot was unique. Member Schillack agreed.
- C. Not Self-Created
 - Member Schillack said the applicant did not create the topography.
- D. Substantial Justice
 - Member Seiber said the surrounding neighbors had garages. Member Dehart said the neighbor's garages were closer to the road.
- E. Minimum Variance Necessary
 - Chairperson Spencer said the variances requested were the minimum necessary.

Member Schillack MOVED to approve the variance requested by Andrew Giles from Article 3.1.6.E of the Zoning Ordinance for Parcel Number 12-21-452-015, identified as 471 Hillwood Drive, in order to construct an accessory building (detached garage) that would encroach 15.18 feet into the required front yard setback. This approval will have the following conditions:

- **The Applicant shall obtain all necessary permits from the White Lake Township Building Department.**
- **Plans drawn to scale and a complete plot plan / survey shall be submitted to meet requirements of the Building Official.**
- **An as-built survey shall be required to verify the approved setbacks.**
- **The garage shall not include stairs or a second story or loft area or living space.**

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

- B. 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

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.

Member Schillack asked staff if the previous construction was done by the current owner. Staff Planner Quagliata said no, it was done by the previous owner.

Member Dehart asked staff the distance of the existing house to the side-yard. Staff Planner Quagliata said a variance was received for the side yard and was not built to the variance received. The proposed house would decrease the nonconformity on the south and north side of the lot, but create nonconformities by encroaching into the rear yard setback and natural features setback.

Andrew Bienkowski and Rachel Menard, 2230 Wiggen Lane, were present. Their goal was to create a safe house built to code. A new house would provide that, as well as keep in line with what the other neighbors had done in the neighborhood. Mr. Bienkowski said the south end addition was preexisting, it was from the 1950s.

Member Dehart asked the applicants if the shed would be removed. Ms. Menard confirmed.

Chairperson Spencer stated the house could be downsized to be brought more into compliance with the zoning ordinance.

Chairperson Spencer opened the public hearing at 7:46 P.M.

Roger Harrington, 2240 Wiggen Lane, spoke in support of the applicant's request.

Chairperson Spencer closed the public hearing at 7:50 P.M.

Member Seiber said the front setback and side yard setbacks would be an improvement, but the proposed house would be pushed 9 feet closer the lake. The depth of the lot was shallow, and would only leave a 30-foot-deep building envelope. He stated the way the lake surrounded the lot made it difficult to achieve the setback from the lake.

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

- A. Practical Difficulty
 - Member Seiber said the shape and lack of depth of the lot presented a practical difficulty.
- B. Unique Situation
 - Member Schillack said the lot was unique based on the shape.

C. Not Self-Created

- Chairperson Spencer said the proposed house could be downsized and the request was a self-created problem.

D. Substantial Justice

- Member Seiber said the neighboring houses did not fully comply with the zoning ordinance.
- Member Schillack said the proposed house could impact the view of the neighbors to the south.

E. Minimum Variance Necessary

- Chairperson Spencer said the proposed house could be downsized to reduce variance requests.

Member Dehart asked the applicants if they would consider reducing the rear corners of the house on the south and north sides to eliminate some of the requested variances. The ZBA discussed modifying the south side yard setback request to result in a setback of 7.5 feet.

Member Schillack MOVED to table the variance requests of Andrew Bienkowski and Rachel Menard for Parcel Number 12-14-231-003, identified as 2230 Wiggen Lane, to consider comments stated during this public hearing.

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

C. Applicant: EROP, LLC (Jeff Justice)

3130 North Kandy Lane

Decatur, IL 62526

Location: **9345 Highland Road**

White Lake, MI 48386 identified as 12-23-202-006

Request: The applicant requests to construct an automobile wash establishment, requiring variances from Article 6.4.C.i, Minimum Driveway Spacing – Same Side of Road, Article 5.19.N.i.c, Dumpsters and Trash Storage Enclosures, Article 5.19.D, Required Minimum Screening and Landscaping, Article 5.9.F.iv, Prohibited Signs.

Chairperson Spencer noted for the record that 22 owners within 300 feet were notified. 0 letters were received in favor, 3 letters were received in opposition, and 1 letter was returned undeliverable from the U.S. Postal Service.

Staff Planner Quagliata presented his staff report.

Chairperson Spencer asked staff if the driveway would be shifted to align with the driveway across Highland Road. Staff Planner Quagliata said yes, the applicant had made the change after last week's Planning Commission meeting. The frontage road was stubbed at the east and west side property lines. The dumpster was moved closer to the building from its previously proposed location.

Reid Cooksey, 607 Shelby St, Detroit, was present to speak on behalf of the applicant. He said the comments from the applicant were took to heart. Front greenbelt landscaping was added, and the drive was shifted to align with the drive across Highland Road at Fisk Corners. The Michigan Department of Transportation (MDOT) approvals would be requested. The dumpster enclosure was placed where it was because the trash vehicles needed to be kept away from the drive into the tunnel and the vacuum spaces. The building was pushed as far back on the lot as it could; the DTE powerline prevented the building from being moved closer to the rear property line. Screening would be provided in the north and rear of the property.

Member Schillack asked Mr. Cooksey why the dumpster enclosure could not be located behind the front line of the building. Mr. Cooksey said due to the DTE overhead lines. In addition, heavy machinery driven over sensors and near the vacuum spaces had the potential to damage equipment.

Mr. Cooksey added the withdrawn sign variance was requested to provide the car wash visibility since there was a water main easement along the frontage that would prohibit a monument sign.

Chairperson Spencer opened the public hearing at 8:48 P.M. She read three letters in opposition of the applicant's request.

Mary Earley, 5925 Pineridge Court, spoke in opposition of the car wash in regards to traffic.

Robert Zawideh, 440 Berry Patch Lane, spoke regarding concerns of water runoff from the car wash to the lake. He was concerned about traffic as well.

Melissa Wheeler, 9229 Highland, owner of the Art of Dance, said her clients were voicing their concerns regarding the traffic.

David Gian, 9315 Steephollow Drive, had concerns about traffic and the lake.

Chairperson Spencer closed the public hearing at 9:04 P.M.

Member Dehart said the building provided a 428-foot setback from the back of the building to the rear property line.

Mr. Cooksey said the closest property to the car wash was the Art of Dance more than 70 feet away, and the decibels measured from the studio to the car wash would be zero. The vacuums were state of the art and were as muffled as could be. The soaps used would be bio degradable and environmentally friendly.

The ZBA discussed the proposed white vinyl fence versus a masonry screen wall. Staff Planner Quagliata stated a screen wall was usually suggested when the commercial activity was closer to a residential area. He added the Planning Commission was okay with the vinyl fence due to car wash being setback 428 feet from the rear property line. He added he also suggested the number of vacuums be reduced by 50 percent; however, the Planning Commission did not take offense to the proposed number of vacuums.

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

A. Practical Difficulty

- Member Dehart said the access management standards posed a practical difficulty due to the width of the lot, and the dumpster location was a practical difficulty due to the DTE power lines.

B. Unique Situation

- Member Seiber said the access situation was unique; failure to grant the variance on the driveway would prohibit access to the site.

C. Not Self-Created

- Member Dehart said the applicant did not place the powerlines.

D. Substantial Justice

- Chairperson Spencer said if the driveway variances were not granted, the applicant would be denied substantial justice. The dumpster was necessary as well, as heavy machinery loading could not be done over the drives to the tunnel.

E. Minimum Variance Necessary

- Chairperson Spencer said the variance for the dumpster was reduced. Member Schillack understood the variance for the driveway was necessary and minimal.

Member Dehart MOVED to approve the variances requested by EROP LLC from Article 6.4.C.i and Article 5.19.N.i.c of the Zoning Ordinance for Parcel Number 12-23-202-006, identified as 9345 Highland Road, in order to allow construction of a driveway 197 feet from the driveway to the east and 262 feet from the driveway to the west, and a 40-foot variance to allow the dumpster enclosure to project in front of the principal building. This approval will have the following conditions:

- The Applicant shall obtain all necessary permits from the White Lake Township Building Department.
- The Applicant shall receive preliminary site plan approval from the Township Board and final site plan approval from the Planning Commission.
- The Highland Road site access drive shall align with the divided drive across the street (Fisk Corners boulevard-style access drive).

Member Madaffer SUPPORTED and the motion CARRIED with a roll call vote (4 yes votes): (Dehart/yes, Madaffer/yes, Seiber/yes, Spencer/yes, Schillack/no).

OTHER BUSINESS

Staff Planner Quagliata said there may be a Special Zoning Board of Appeals meeting in May to discuss zoning ordinance amendments.

ADJOURNMENT

MOVED by Member Seiber, SUPPORTED by Member Dehart to adjourn the meeting at 9:32P.M. The motion CARRIED with a voice vote (5 yes votes).

NEXT MEETING DATE: May 26, 2022 Regular Meeting

DRAFT

WHITE LAKE TOWNSHIP ZONING BOARD OF APPEALS

REPORT OF THE COMMUNITY DEVELOPMENT DEPARTMENT

TO: Zoning Board of Appeals
FROM: Justin Quagliata, Staff Planner
DATE: May 26, 2022

Agenda item: 6a

Appeal Date: May 26, 2022 (Tabled from April 28, 2022)

Applicant: Andrew Bienkowski and Rachel Menard

Address: 2230 Wigen Lane
White Lake, MI 48386

Zoning: R1-D Single Family Residential

Location: 2230 Wigen Lane
White Lake, MI 48386

Property Description

The approximately 0.18-acre (7,840 square feet) parcel identified as 2230 Wigen Lane is located on Pontiac Lake and zoned R1-D (Single Family Residential). The existing house on the property (approximately 1,852 square feet in size) utilizes a private well for potable water and the public sanitary sewer system for sanitation.

Applicant's Proposal

Andrew Bienkowski and Rachel Menard, the applicants, are proposing to demolish the existing house and construct a new house.

Planner's Report

On September 23, 2004 the Zoning Board of Appeals (ZBA) approved variance requests to construct a two-car attached garage and 280 square foot living space addition. The following variances were previously granted:

- 2-foot variance from the south side yard setback
- 3-foot variance from the distance between neighbors
- 1.9% or 168.8 square foot variance to exceed the maximum lot coverage
- 30-foot variance from the required lot width
- 3,134 square foot variance from the required lot area

Based on the survey submitted with the current variance application, the property is 7,840 square feet in size (4,160 square feet deficient in area). In the R1-D zoning district the minimum lot area requirement is 12,000 square feet. There is a 1,026 square foot difference in the deficiency of area and 2004 variance granted for lot area (3,134 square feet). Staff did not publish lot area or lot width variance requests as the property previously received variances from those requirements.

The existing building on the property is approximately 1,852 square feet in size (including the 24 foot by 24 foot (576 square feet) two-car attached garage). The garage and living space addition built in 2004 did not comply with the variances granted by the ZBA. The garage is 5.40 feet from the north side property line and 23.55 feet from the front property line (no variances were granted to allow those setbacks). The living space addition is 4.32 feet from the south side property line. Furthermore, the lot coverage variance granted was not accurate. According to the submitted plot plan, the existing lot coverage is 24.76%, which is 2.86% more coverage than granted in 2004; this could be attributed to a different lot area being considered in 2004.

Based on the revised plans, the proposed two-story house with attached two-car garage is approximately 3,906 square feet in size (first floor: 1,496 square feet; second floor: 1,818 square feet; garage: 592 square feet). Based on the plans, the building was reduced in size by approximately 269 square feet from the previous request. As proposed, the house would be located 6.27 feet from the north side lot line and 6.90 feet from the south side lot line, requiring variances from the 10-foot side yard setback. Additionally, the house would be located 26 feet from the front property line; therefore, a 4-foot variance is requested to encroach into the front yard setback. The proposed setback from Pontiac Lake is 25.11 feet (2.97-foot increased setback from the previous request), requiring a variance from the 30-foot rear yard setback. As shown on the revised plot plan, a natural features setback variance is no longer necessary.

According to the revised plot plan, the proposed lot coverage is 28.03% (2,198 square feet), which is 8.03% (630 square feet) beyond the 20% maximum lot coverage allowed (1,568 square feet). Based on the plans, there was a lot coverage reduction of 2.26% (177 square feet) from the previous request. Note the lot coverage calculation provided on the previous plot plan did not include the area of the front covered porch. Staff contacted the individual who prepared the plot plan and confirmed the area of the front covered porch was included in the lot coverage calculation provided on the revised plot plan.

As shown on the revised exterior elevations, the house is approximately 28 feet in height. In the R1-D zoning district, the maximum building height is 25 feet or 2 stories (whichever is less). A variance for the building height was not requested or published.

In 2020 the Zoning Board of Appeals made an interpretation affirming an artificial grade cannot be established on a site for the purpose of building a structure. Basements are determined using existing/natural grade on a site. The subject site is generally level; therefore, staff determined the Applicant is proposing to alter the grade in order to create a walkout basement. As proposed, the house cannot be constructed.

The requested variances are listed in the following table.

Variance #	Ordinance Section	Subject	Standard	Requested Variance	Result
1	Article 3.1.6.E	Front yard setback	30 feet	4 feet	26 feet
2	Article 3.1.6.E	Side yard setback	10 feet	4 feet (north) 3.5 feet (south)	6 feet (north) 6.5 feet (south)
3	Article 3.1.6.E	Rear yard setback	30 feet	5 feet	25 feet
4	Article 3.1.6.E	Maximum lot coverage	20% (1,568 square feet)	8.25% (647 square feet)	28.25% (2,215 square feet)

Zoning Board of Appeals Options:

Approval: I move 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 Wiggen 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.

Denial: I move to deny the variances requested by Andrew Bienkowski and Rachel Menard for Parcel Number 12-14-231-003, identified as 2230 Wiggen Lane, due to the following reason(s):

Table: I move to table the variance requests of Andrew Bienkowski and Rachel Menard for Parcel Number 12-14-231-003, identified as 2230 Wiggen Lane, to consider comments stated during this public hearing.

Attachments:

1. Variance application dated March 23, 2022.
2. Applicant's written statement.
3. Survey dated July 13, 2021.
4. Plot plan (revision date May 18, 2022).
5. Foundation plan and wall section dated January 24, 2022 (revision date April 21, 2022).
6. Floor plan and exterior elevations dated January 24, 2022 (revision date May 4, 2022).
7. Letter of denial from the Building Official dated March 7, 2022.

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

PAID
CASH CHECK#
MAR 28 2022
TREASURER
CHARTER TWP. OF WHITE LAKE

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

APPLICANT'S NAME: Andrew Bienkowski, Rachel Menard PHONE: 248-732-9571

ADDRESS: 2230 Wigen Lane, White Lake, MI 48386

APPLICANT'S EMAIL ADDRESS: ajb634@gmail.com

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

ADDRESS OF AFFECTED PROPERTY: 2230 Wigen Lane PARCEL # 12-14-231-003

CURRENT ZONING: R1-D PARCEL SIZE: .018 acres

STATE REQUESTED VARIANCE AND ORDINANCE SECTION: Article 3.1.6 of the White Lake clear Z

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

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

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

APPLICANT'S SIGNATURE: Andrew Bienkowski DATE: 3-23-2022

Our intention is to demolish the existing structure on our property and completely rebuild a new beautiful home that will not only increase the current property value and associated tax assessment but to provide strength in support of property value overall to our Pontiac Lake, White Lake Township community.

Both the current parcel and structure are non-conforming, the parcel is 8,233 sq. feet and therefore is nonconforming due to a 3,767 square foot deficiency in lot area and a 50 foot deficiency in lot width at the front lot line which currently measures 30ft. Unlike other lots in our immediate area ours is similar in shape to a piece of pie, whereby the angles of the North and South sides are more severe leading to a narrow stretch across the front. The variances we are requesting in regards to the North and South sides do not run the entire length of the proposed new structure but instead are at the front of the structure where the lot is narrowest. As the parcel widens towards the East the structure is situated such that the number of feet from the parcel perimeter continually increases and moves within ordinance. The back side/water side of the property is curved similar to a half moon, as such the proposed structure's distance from the water varies but again given the curvature of the property surrounding a structure that itself is squared off and not curved this is inevitable. The parcel also fits into a cul de sac so in addition to the curvature of the back/water side or East most side of the parcel the West side or border on the cul de sac itself, the narrowest point, is also curved inward in a half moon shape.

In addition to the challenging size and shape of the parcel we are also working our plans taking into consideration the existing sewer lines and grinder pump at the forefront of our parcel.

Our original application did not meet the minimum guidelines as we understood them from the denial we received. We revisited our plans with our architect and have worked to propose a plan that brings us within those guidelines and in some cases is an improvement over even the existing structures' nonconformance.

- A variance of 4.73 of feet (closest exterior point would be 5.27 ft from parcel perimeter) at the front North point and of 3.94 feet (closest exterior point would be 5.59 ft from parcel perimeter) at the front South point.

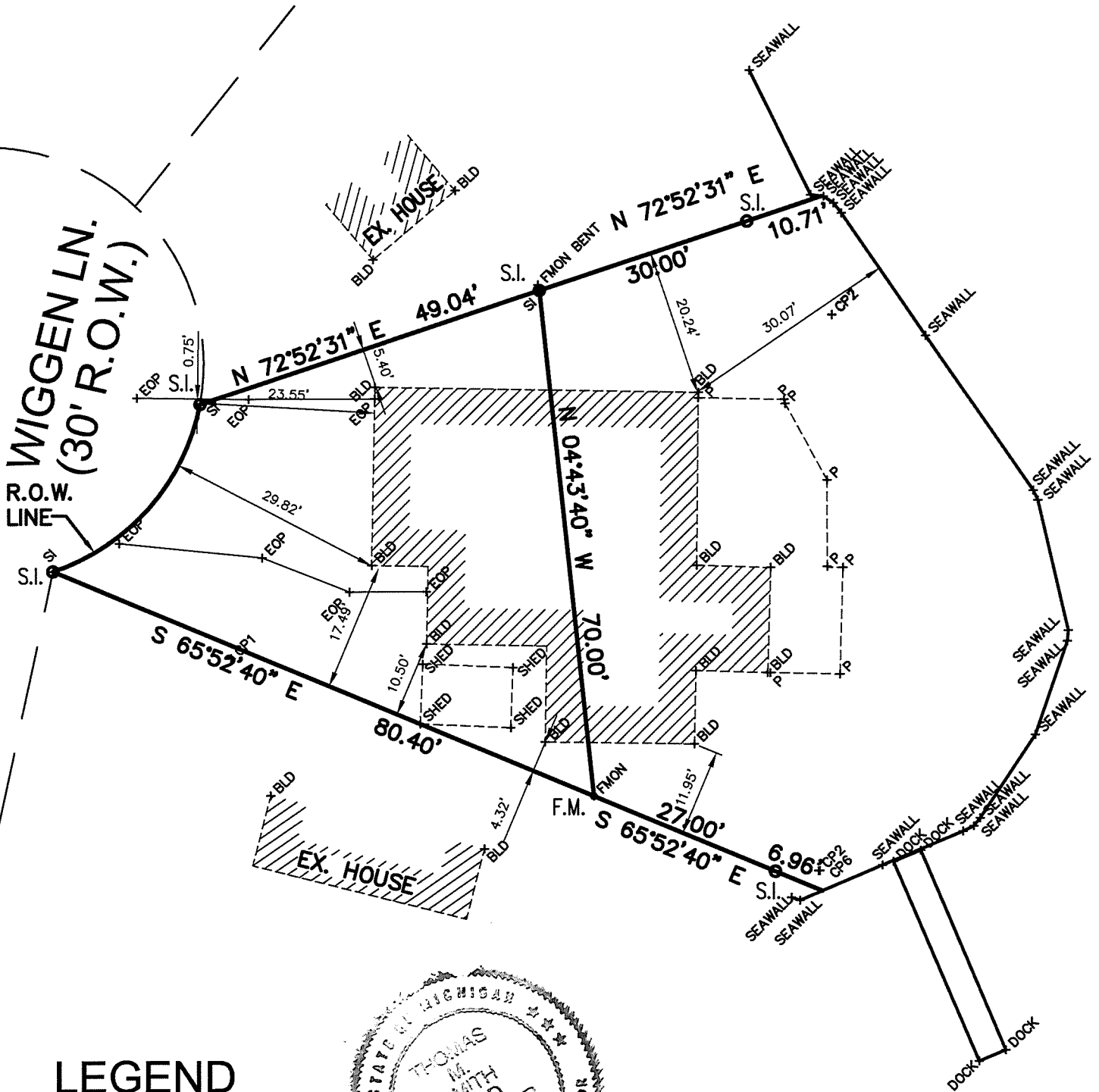
- A variance of 5 feet, at the narrowest point of the curved road edge of the parcel, this would leave a distance of 25 feet between the structure and road at the closest point.

- A variance of fewer than 5 ft. from the back/East facing structure to the water's edge/seawall dependent on the meeting point with the curvature of the parcel, ex. 4.07 ft, 0.84 ft, and 2.16 ft. Given this allowance the distances from the structure to seawall at each point of measurement would be 25.93 ft, 29.16 ft and 27.84 ft.







We hope the adjustments we have made will satisfy this board so we can move forward with our plans to improve the property.

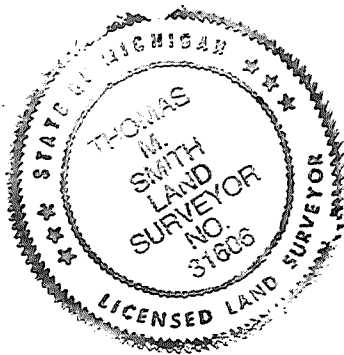
Thank you

LOT 140 OF ENGLISH VILLAS SUBDIVISION



LEGEND

-  SECTION CORNER
-  F.P. FOUND PIPE
-  F.I. FOUND IRON
-  F.M. FOUND MONUMENT
-  F.P.K. FOUND P.K. NAIL
-  S.I. SET IRON



LDS LAND DEVELOPMENT SERVICES
of Michigan L.L.C.

LEGAL DESCRIPTION

A PARCEL OF LAND LOCATED IN PART OF SECTIONS 11, 13 & 14, TOWN 3 NORTH, RANGE 8 EAST, WHITE LAKE TOWNSHIP, OAKLAND COUNTY, MICHIGAN, BEING FURTHER DESCRIBED AS FOLLOWS:

LOT 140 OF ENGLISH VILLAS SUBDIVISION.

CONTAINING 0.18 ACRES OF LAND SUBJECT TO ALL EASEMENTS OF RECORD

2230 Wiggen Ln., White Lake, Michigan

Civil, Construction Management & Surveying Services

Land Development Services
of Michigan LLC
48597 Hayes Rd
Shelby Twp, MI 48315
P: 586.854.7310

E: David@LDSofMichigan.com

CLIENT: Andrew Bienkowski

DATED 7/13/2021 LOT NO. 140 SCALE 1" = 20'-0"

LAND DEVELOPMENT SERVICES
of Michigan L.L.C.

Civil, Construction Management & Surveying Services

Land Development Services of Michigan L.L.C.
57200 Silver Maple
Washington, MI 48094
P: 586.854.7310
E: David@LDSofMichigan.com

PROJECT
2230 Wiggan Lane
White Lake Twp, Michigan

CLIENT
Andrew Bienkowski
2230 Wiggan Ln.
White Lake, Michigan 48386
248-805-1576
Ajb634@gmail.com

SEAL

SHEET
PLOT PLAN

PROJECT LOCATION
PARCEL #12-14-231-003

LOT COVERAGE

EXISTING	PROPOSED
24.76%	28.03%
1942 sq ft	2198 sq ft

REVISIONS

Date	Description
5-18-22	REV LOT COVERAGE PER CITY
5-10-22	REV PER CITY

Designed by: **Drawn by:**
A.M.B.

Approved by: **Date:**
D.S.W. 05-10-2022

Scale:
1" = 10'-0"

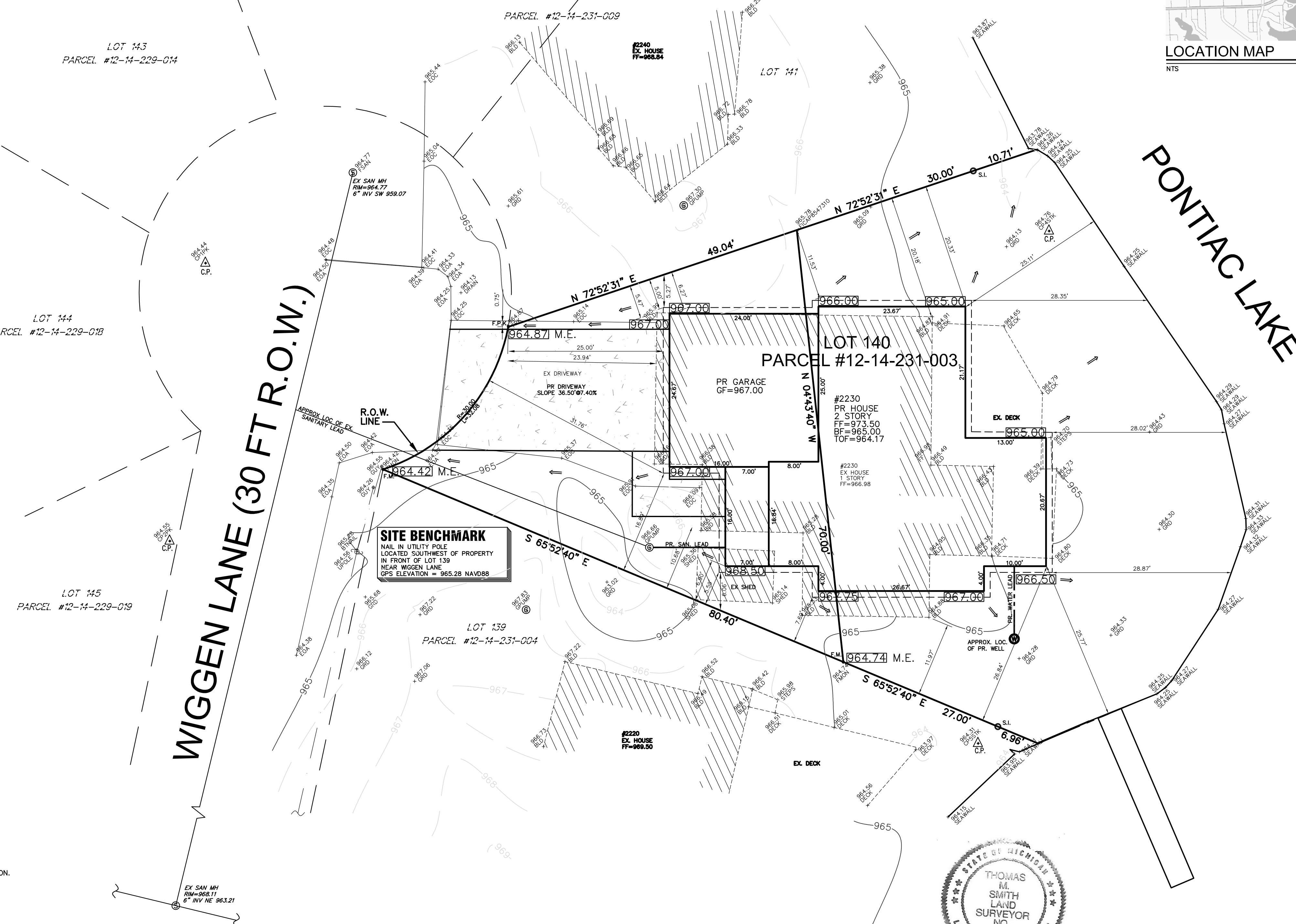
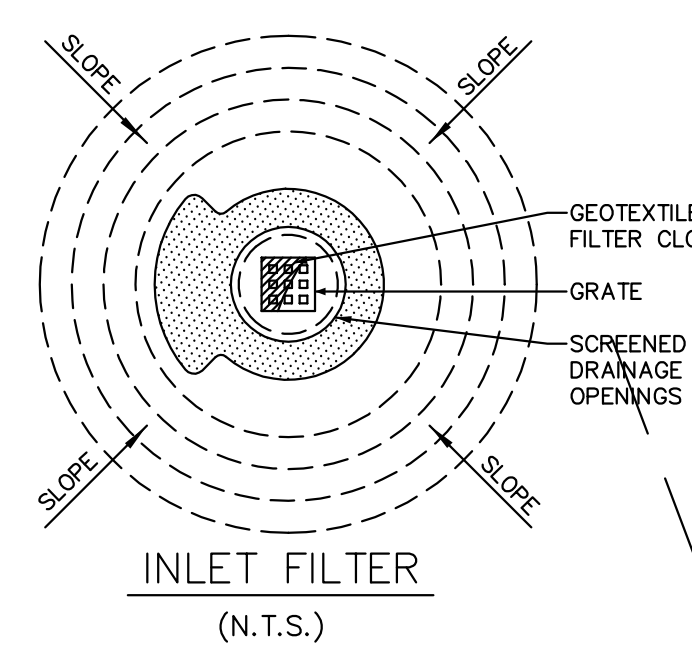
Job No.: **Sheet:**
22155 **1**



LOCATION MAP
NTS

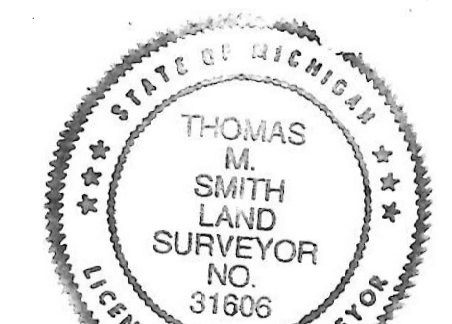
PLOT PLAN

LOT 140 OF ENGLISH VILLAS SUBDIVISION
SECTION 14, T3N, R8E, WHITE LAKE TOWNSHIP
OAKLAND COUNTY, MICHIGAN
PARCEL #12-14-231-003



LOT COVERAGE

EXISTING	PROPOSED
24.76%	28.03%
1942 sq ft	2198 sq ft



LEGAL DESCRIPTION OF RECORD

A PARCEL OF LAND LOCATED IN PART OF SECTIONS 11, 13 & 14, TOWN 3 NORTH, RANGE 8 EAST, WHITE LAKE TOWNSHIP, OAKLAND COUNTY, MICHIGAN, BEING FURTHER DESCRIBED AS FOLLOWS:
LOT 140 OF ENGLISH VILLAS SUBDIVISION,
CONTAINING 0.18 ACRES OF LAND SUBJECT TO ALL EASEMENTS OF RECORD

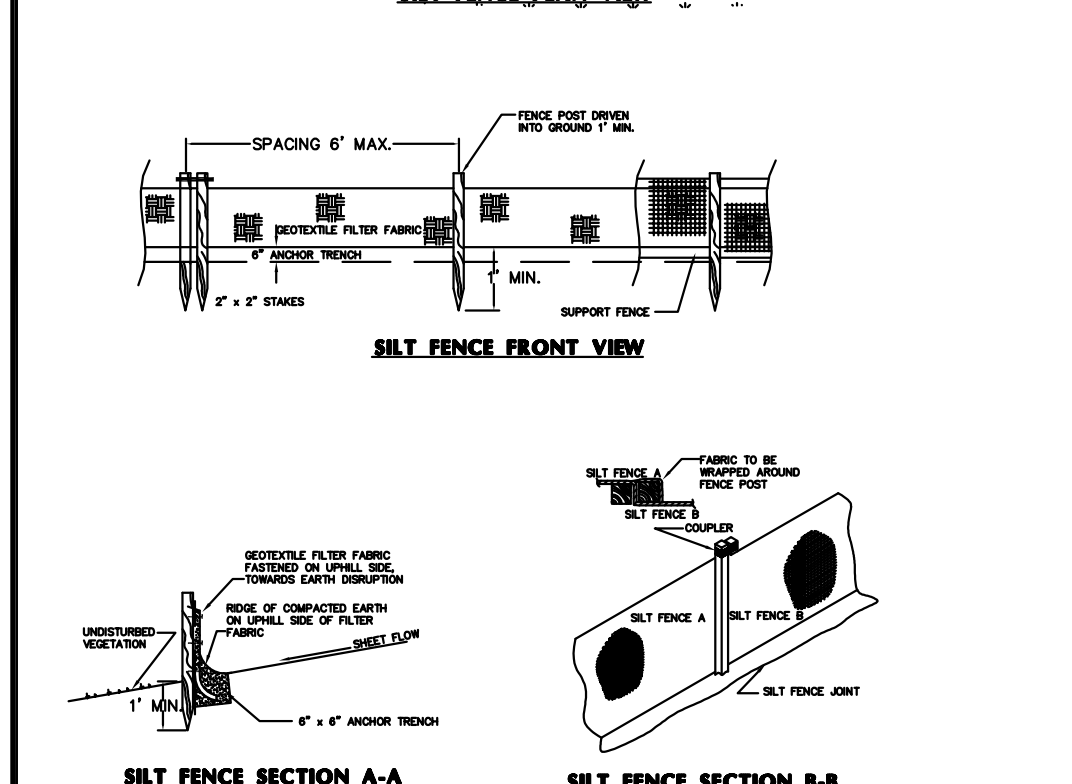
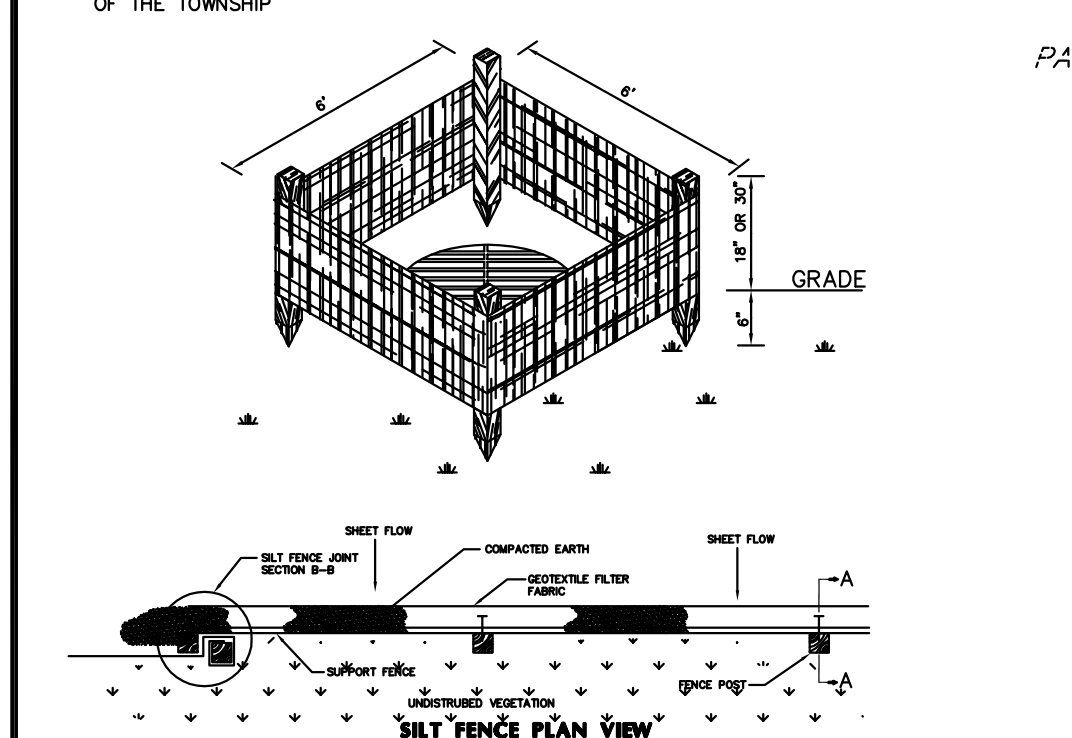
BENCHMARK

NAIL IN UTILITY POLE
LOCATED SOUTHWEST OF PROPERTY
IN FRONT OF LOT 139
NEAR WIGGAN LANE
GPS ELEVATION = 965.28 NAVD88

1. THIS PROJECT TO BE CONSTRUCTED IN COMPLIANCE WITH PART 51 OF ACT 424 OF 1984 AS AMENDED, THE SOIL EROSION AND SEDIMENTATION CONTROL ACT AND THE MICHIGAN COUNTY SOIL EROSION AND SEDIMENTATION CONTROL ORDINANCE.
2. ALL EROSION AND SEDIMENTATION CONTROL MEASURES SHALL BE DESIGNED AND CONSTRUCTED TO PREVENT EROSION AND SEDIMENTATION FROM WORK ON THIS SITE AND NOT ALLOWED TO COLLECT ON ANY OF THE ADJACENT AREAS.
3. EROSION AND SEDIMENTATION CONTROL MEASURES SHALL BE DESIGNED AND CONSTRUCTED TO PREVENT EROSION AND SEDIMENTATION FROM WORK ON THIS SITE AND NOT ALLOWED TO COLLECT ON ANY OF THE ADJACENT AREAS.
4. STAGING THE WORK SHALL BE DONE BY THE LANDOWNER OR THE LANDOWNER'S REPRESENTATIVE AS DIRECTED IN THESE PLANS AND AS REQUIRED TO AVOID PROLONGED EXPOSURE OF EXCAVATED EARTH CHANGES.
5. EROSION AND SEDIMENTATION CONTROL MEASURES SHALL BE DESIGNED AND CONSTRUCTED TO PREVENT EROSION AND SEDIMENTATION FROM WORK ON THIS SITE AND NOT ALLOWED TO COLLECT ON ANY OF THE ADJACENT AREAS.
6. ALL EROSION AND SEDIMENTATION CONTROL MEASURES SHALL BE DESIGNED AND CONSTRUCTED TO PREVENT EROSION AND SEDIMENTATION FROM WORK ON THIS SITE AND NOT ALLOWED TO COLLECT ON ANY OF THE ADJACENT AREAS.
7. ALL EROSION AND SEDIMENTATION CONTROL MEASURES SHALL BE DESIGNED AND CONSTRUCTED TO PREVENT EROSION AND SEDIMENTATION FROM WORK ON THIS SITE AND NOT ALLOWED TO COLLECT ON ANY OF THE ADJACENT AREAS.
8. ALL EROSION AND SEDIMENTATION CONTROL MEASURES SHALL BE DESIGNED AND CONSTRUCTED TO PREVENT EROSION AND SEDIMENTATION FROM WORK ON THIS SITE AND NOT ALLOWED TO COLLECT ON ANY OF THE ADJACENT AREAS.
9. ALL EROSION AND SEDIMENTATION CONTROL MEASURES SHALL BE DESIGNED AND CONSTRUCTED TO PREVENT EROSION AND SEDIMENTATION FROM WORK ON THIS SITE AND NOT ALLOWED TO COLLECT ON ANY OF THE ADJACENT AREAS.
10. ALL EROSION AND SEDIMENTATION CONTROL MEASURES SHALL BE DESIGNED AND CONSTRUCTED TO PREVENT EROSION AND SEDIMENTATION FROM WORK ON THIS SITE AND NOT ALLOWED TO COLLECT ON ANY OF THE ADJACENT AREAS.

LANDOWNER'S SIGNATURE: _____ DATE: _____

- EROSION CONTROL MEASURES & SEQUENCE OF CONSTRUCTION**
1. INSTALL TEMPORARY SOIL EROSION CONTROL GEOTEXTILE FILTER CLOTH FENCE AS INDICATED ON PLAN AND AT ADDITIONAL AREAS AS NECESSARY.
 2. MAINTAIN A 15 FT. BUFFER OF VEGETATION WHERE POSSIBLE AROUND PERMITS OF SITE.
 3. INSTALL UTILITIES AND EXCAVATE BASEMENT, STOCKPILE DIRT AWAY FROM DRAINAGE AREAS.
 4. BACKFILL BASEMENT, GRADE SITE AND REMOVE EXCESS DIRT FROM SITE IF NECESSARY.
 5. CONSTRUCT HOUSE.
 6. INSTALL PAVEMENT AND FINAL GRADE THE LOT.
 7. ESTABLISH VEGETATION AND LANDSCAPE ALL DISTRIBUTED AREAS NOT BUILT OR PAVED UPON.
 8. CLEAN PAVEMENT AND REMOVE ALL TEMPORARY EROSION CONTROL MEASURES. RE-ESTABLISH VEGETATION AS NECESSARY.
 9. ALL DIRT AND MUD TRACKED ONTO PUBLIC ROADS SHALL BE REMOVED DAILY.
 10. ALL EROSION CONTROL SHALL CONFORM TO STANDARDS AND SPECIFICATIONS OF THE TOWNSHIP.



NOTE FOR CONSTRUCTION UNLESS APPROVED BY MUNICIPALITY HOUSE DIMENSIONS TO BE VERIFIED BY OWNER AND/OR BUILDER BEFORE CONSTRUCTION. THE PROPERTY DIMENSIONS AND UTILITY LOCATIONS SHOWN ARE ONLY APPROXIMATE AND GATHERED FROM EXIST RECORDS AVAILABLE. THERE IS NO GUARANTEE THEREOF. CONTRACTOR SHALL FIELD VERIFY ALL DIMENSIONS AND UTILITIES PRIOR TO START OF CONSTRUCTION AND REPORT ANY DISCREPANCIES TO OWNER AND/OR ENGINEER

NOTE: ALL CONSTRUCTION SHALL CONFORM TO THE CURRENT STANDARDS AND SPECIFICATIONS OF ALL GOVERNING AGENCIES.

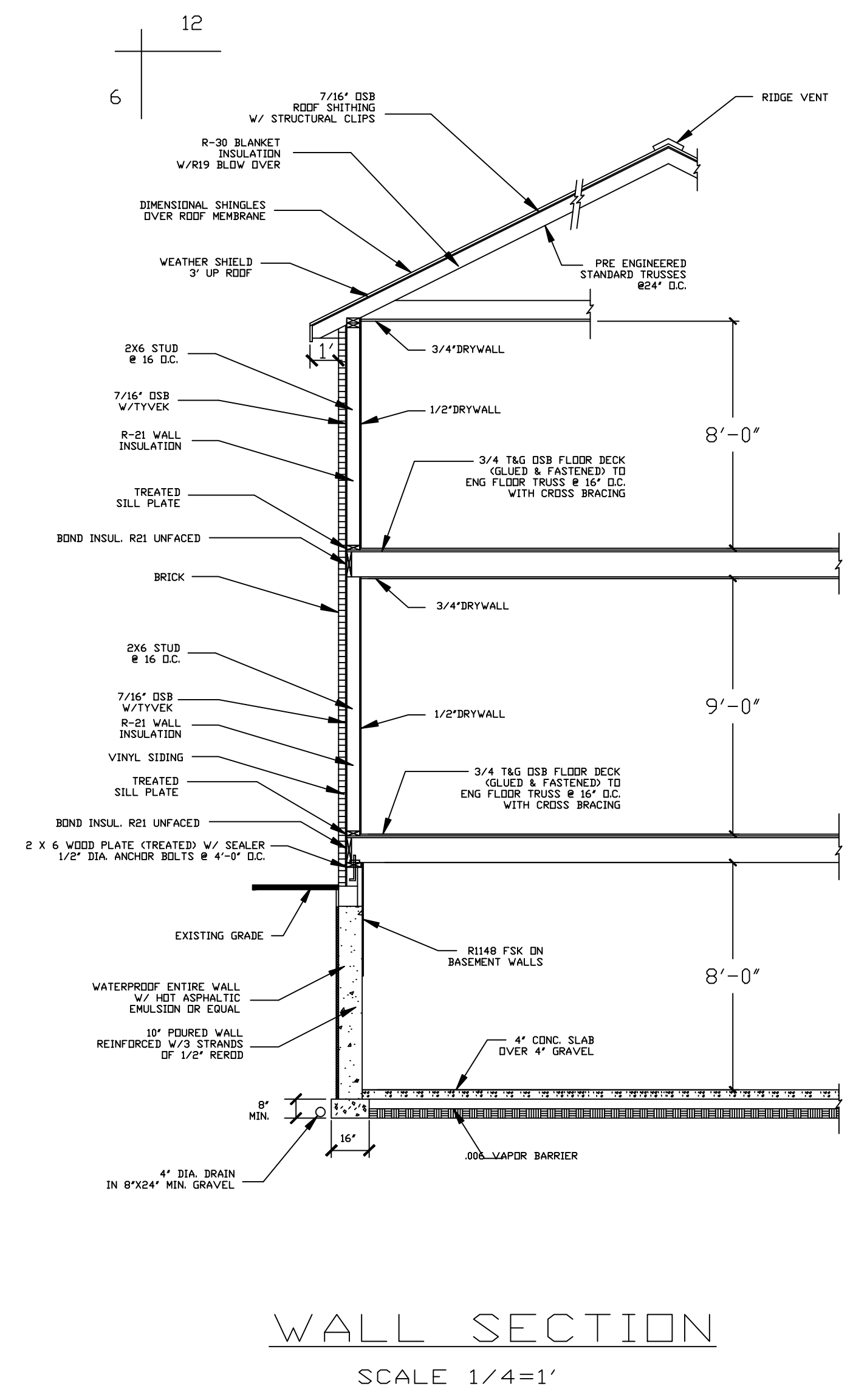
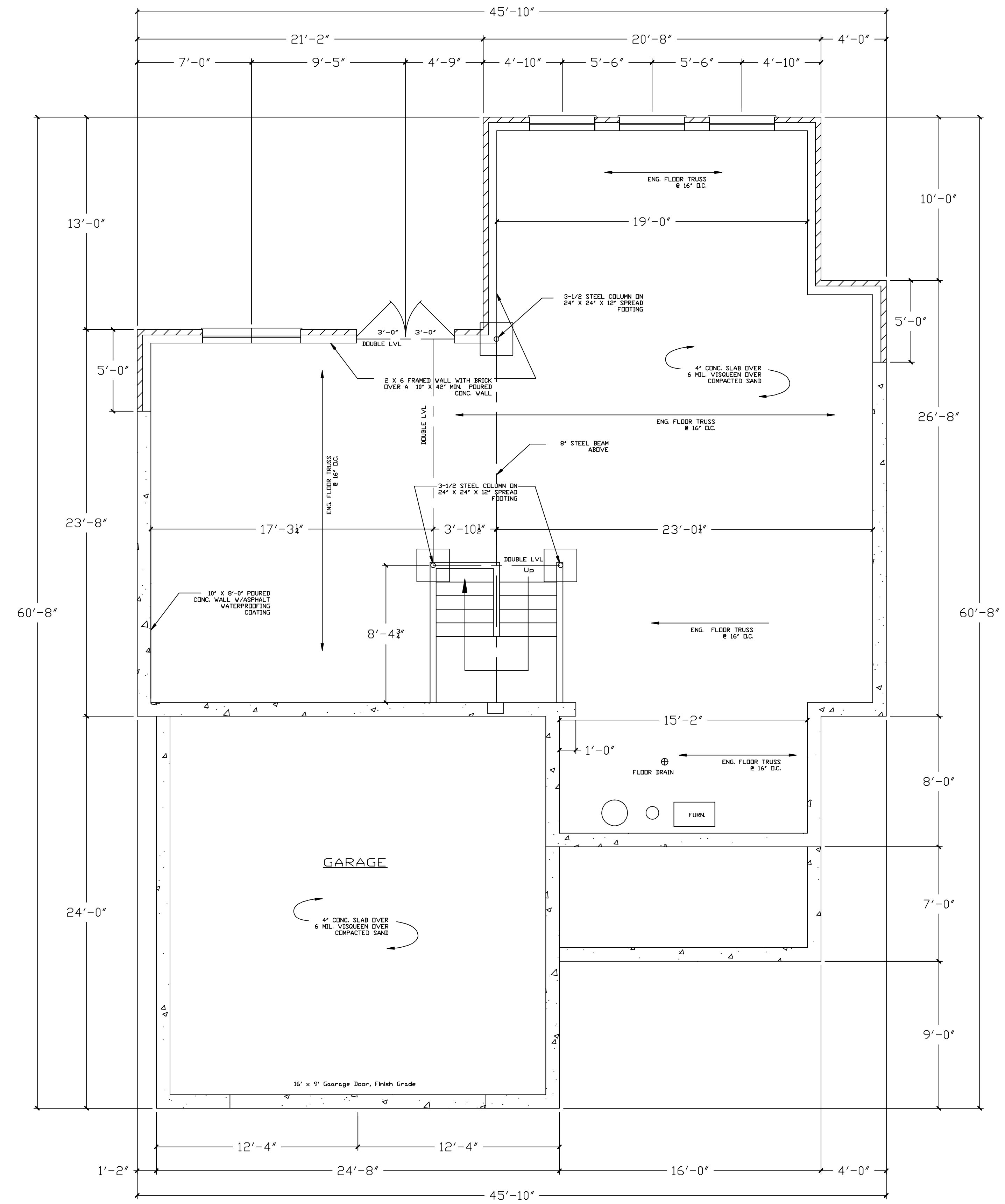
USER AGREES THAT PLAN IS SUBJECT TO STANDARD ASCE CONTRACT AND LIABILITY AND IS LIMITED TO FEE

LEGEND

EXISTING	PROPOSED
AS	GAS
ST	SANITARY (SAN)
WM	STORM (STM)
WM	WATERMAIN (WM)
OW	OVERHEAD WIRE
UC	UNDERGROUND CABLE
EX	EX. DITCH OR SWALE CENTERLINE
EM	EASEMENTS
RA	RAILROAD
CF	CHAIN LINK FENCE
WF	WOOD FENCE
WF	WIRE FENCE
GR	GUARD RAIL

CONSTRUCTION SEQUENCE	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
A SOIL EROSION CONTROL MEASURES												
B EXISTING HOUSE DEMO												
C HOUSE CONSTRUCTION												
D DRIVEWAY & SIDEWALK CONSTRUCTION												
E FINAL GRADING												

AM	AMERITCH	SP	SIGNAL POLE	VP	VENT PIPE	MP	MARKER POST	
WS	WATER SHUT OFF	EL	ELECTRIC RISER OR METER	FC	FILLER CAP	LI	LIGHT POLE	
TR	TELEPHONE RISER	EM	ELECTRIC PROTECTION	CT	C.P. TEST	TS	TRAFFIC SIGNAL	
TE	TELEPHONE	GW	GUY WIRE	MW	MONITOR WELL	DM	D.E. MANHOLE	
SC	SEWER CLEAN OUT	HT	HIGH TENSION TOWER	TP	TOP OF CURB ELEVATION	TM	TELEPHONE MANHOLE	
GM	GAS METER	FP	FLAG POLE	TE	TOP OF PAVEMENT ELEVATION OR	SP	SPOT ELEVATION	
GV	GAS VALVE / GAS MARKER	TP	TW	TOP OF WALK	TE	TOP OF CURB ELEVATION	OT	OUTTER ELEVATION
GU	GUARD/METAL POST	CU	CULVERT	CM	CORRUGATED METAL PIPE	SE	SET P.K. NAIL	
CB	CATCH BASIN	MP	MANHOLE	CF	FINISH FLOOR ELEVATION	CH	CHISELED "X"	
GW	GATE VALVE IN WELL (G.V.W.)	OP	OPENING	SC	SECTION CORNER	PK	PROPOSED GRADE	
FM	FIRE HYDRANT	MP	MAILBOX	FC	FOUND IRON	FP	FOUND PIPE	
SM	STORM MANHOLE (ST. MH.)	SI	SIGN	FI	FOUND IRON	CP	CONTROL POINT	
FP	FOUND POST	SI	SIGN	FM	FOUND MONUMENT			
UP	UTILITY POLE	SI	SIGN	FN	FOUND NAIL			
UL	UTILITY POLE W/ LAMP EXTENSION	SI	SIGN	SI	SET IRON			

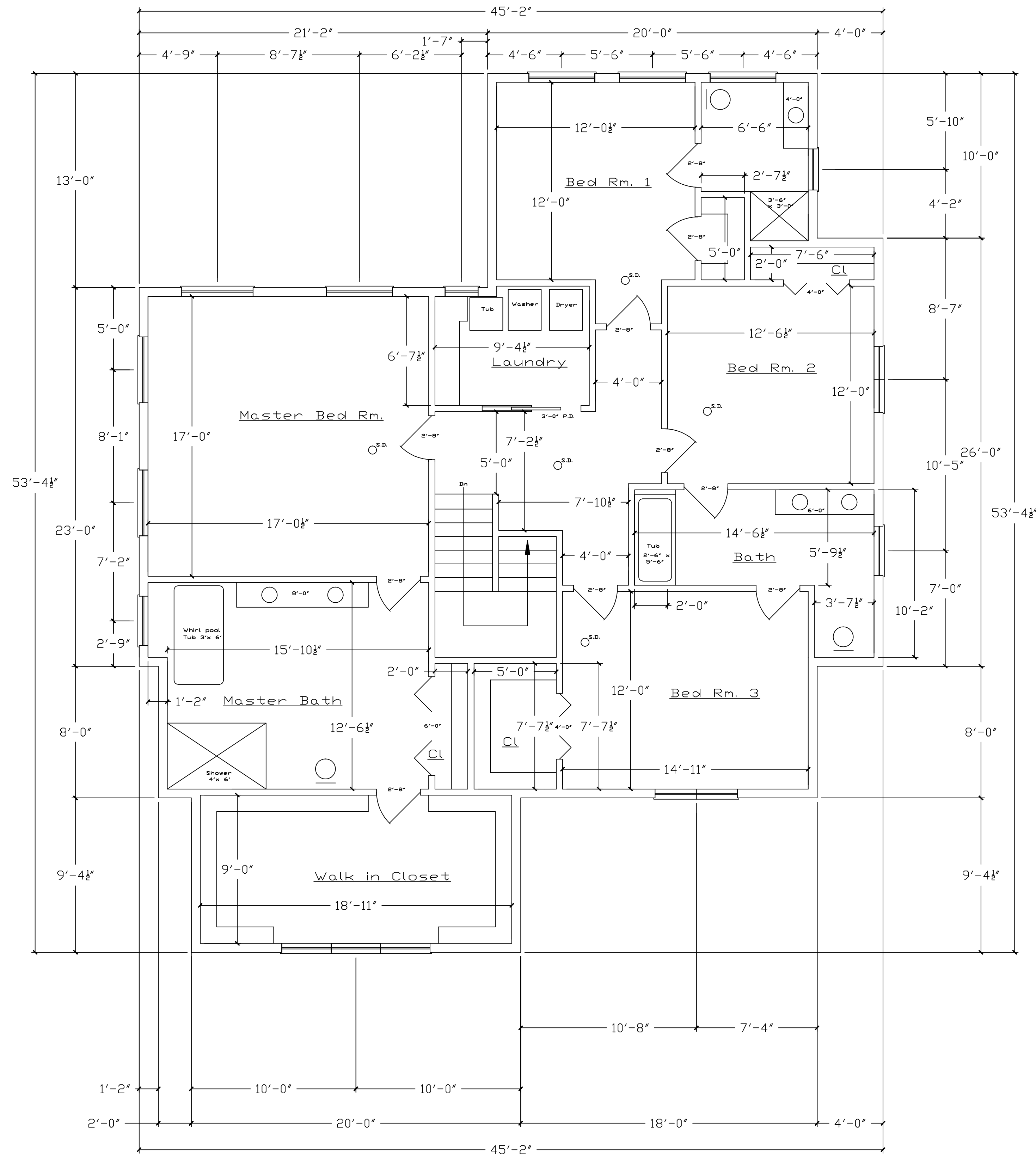


FOUNDATION PLAN
SCALE 1/4=1'

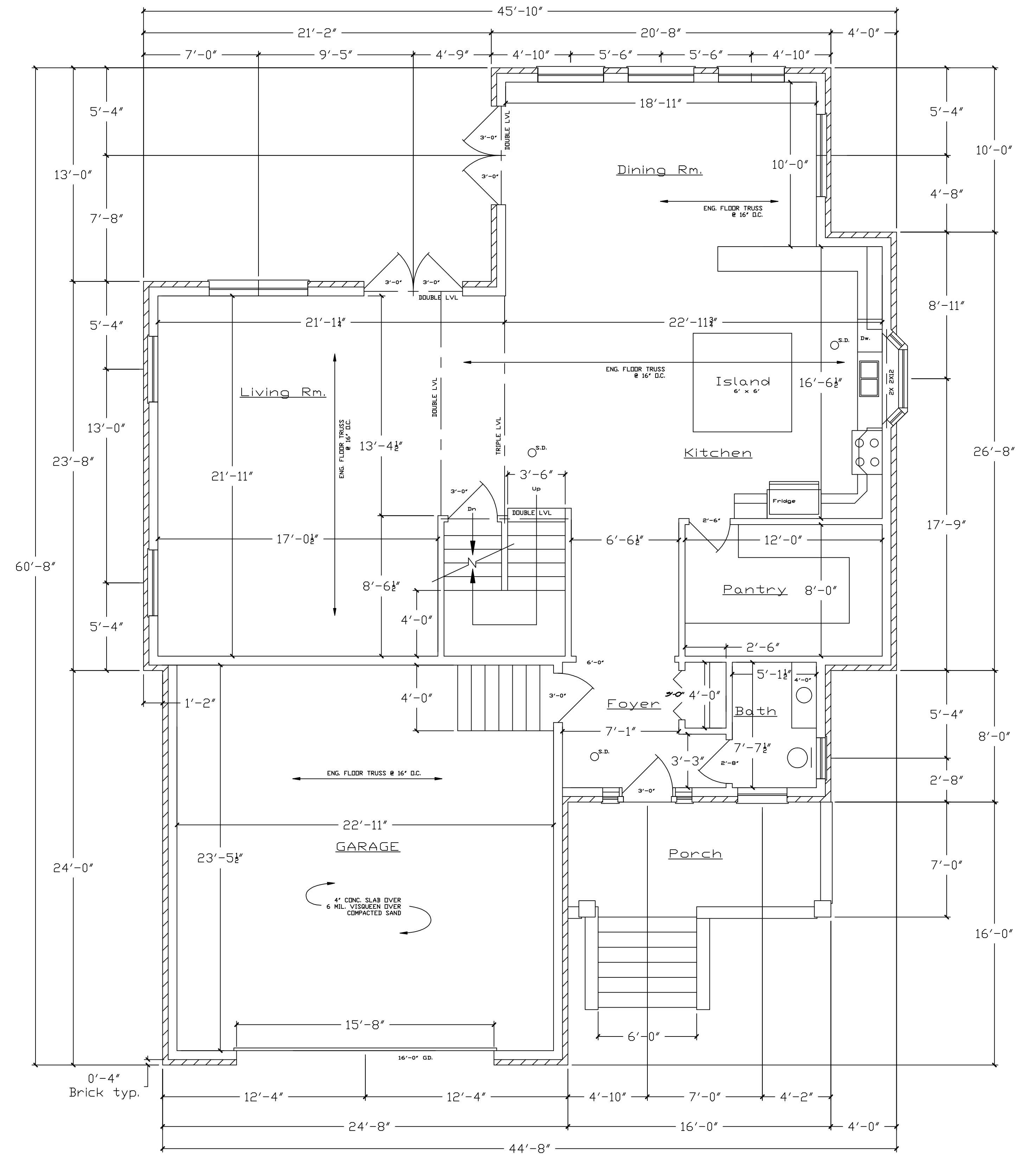
WALL SECTION
SCALE 1/4=1'

NOTE: ALL WORK TO MEET ALL STATE AND LOCAL CODES.
TRUSS PLAN TO BE PRESENT AT FINAL INSPECTION.
ALL BED RM. WINDOWS MEET EGRESS REQ.

HOME PLAN			
2230 Wiggen Lane WHITE LAKE, MI, 48386		Andrew Bienkowski	
DRG. DATE	UPDATE	SCALE	DRG. NO.
1-24-22	4-21-22	NOTED	1 OF 4



2nd Level Floor Plan 1,818.33 S.F. Living Space
SCALE 1/4=1'

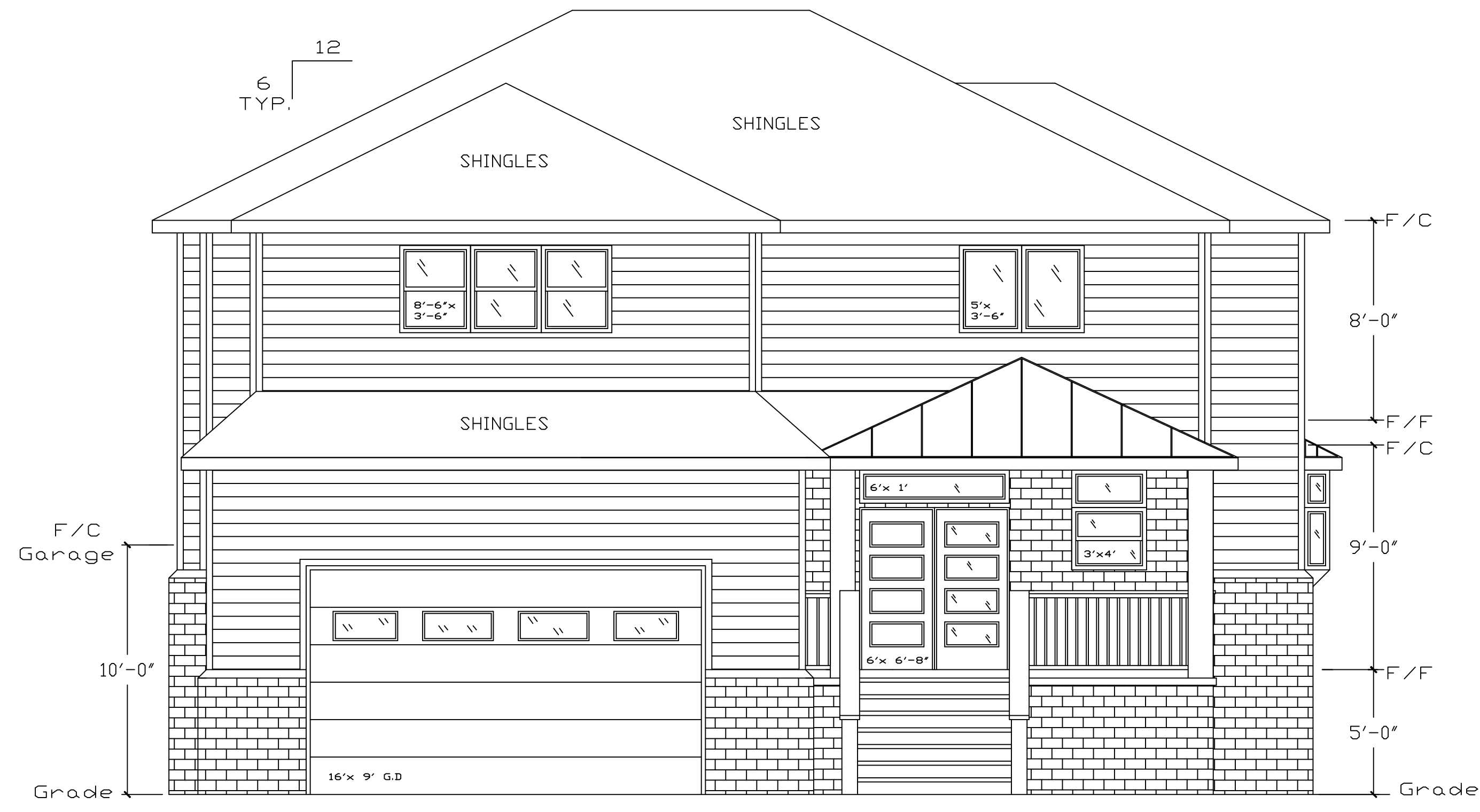


1st Level Floor Plan 1,495.66 S.F. Living Space
SCALE 1/4=1'

NOTE: ALL WORK TO MEET ALL STATE AND LOCAL CODES.
TRUSS PLAN TO BE PRESENT AT FINAL INSPECTION.
ALL BED RM. WINDOWS MEET EGRESS REQ.

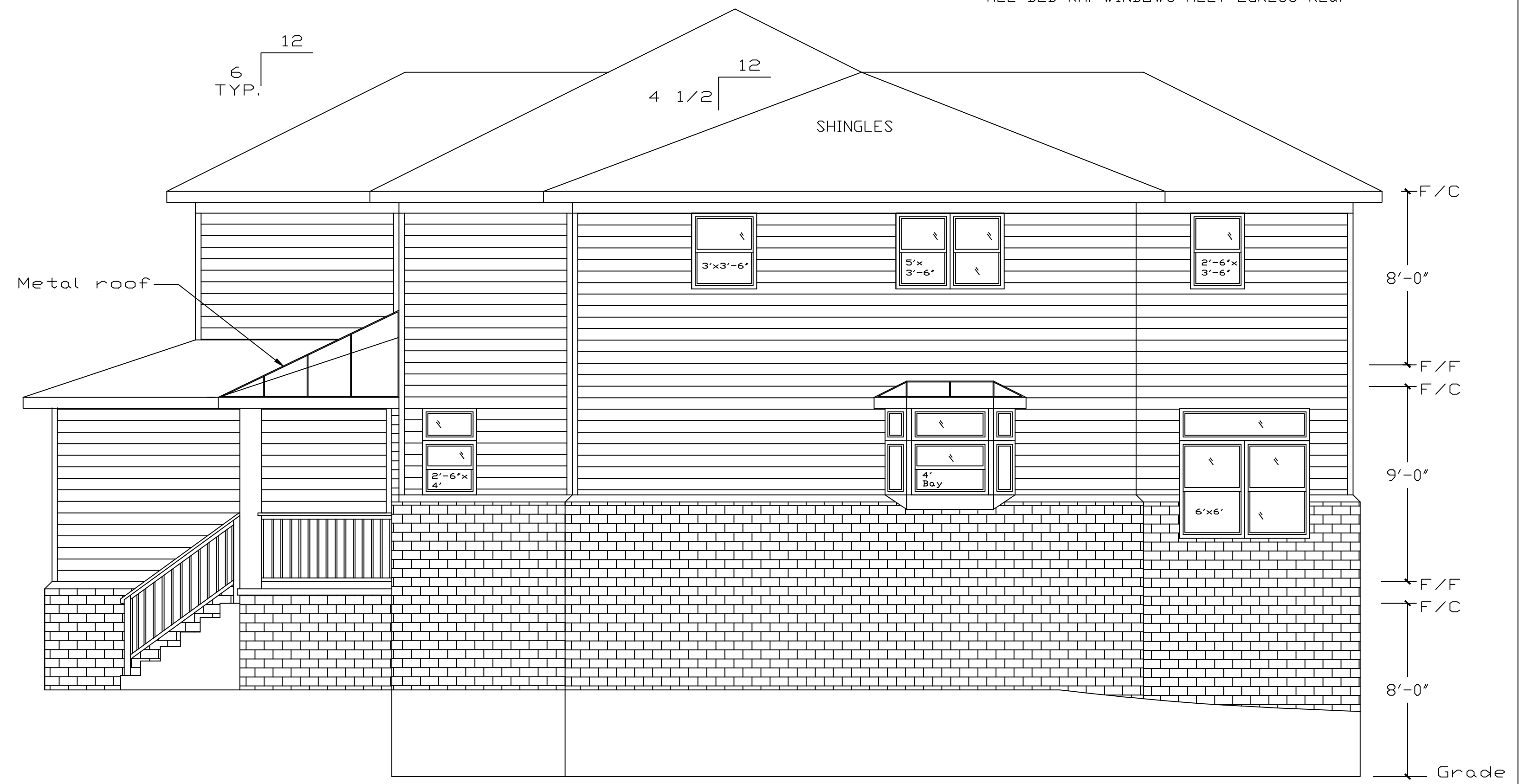
HOME PLAN			
2230 Wiggen Lane WHITE LAKE, MI, 48386		Andrew Bienkowski	
ORG. DATE	UPDATE	SCALE	DWG. NO.
1-24-22	5-4-22	NOTED	2 OF 4

NOTE: ALL WORK TO MEET ALL STATE AND LOCAL CODES.
TRUSS PLAN TO BE PRESENT AT FINAL INSPECTION.
ALL BED RM. WINDOWS MEET EGRESS REQ.



FRONT ELEVATION

SCALE 1/4=1'



RIGHT ELEVATION

SCALE 1/4=1'



REAR ELEVATION

SCALE 1/4=1'



LEFT ELEVATION

SCALE 1/4=1'

HOME PLAN			
2230 Wiggen Lane WHITE LAKE, MI, 48386		Andrew Bienkowski	
ORG. DATE	UPDATE	SCALE	DWG. NO.
1-24-22	5-4-22	NOTED	3 OF 4

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



Trustees
 Scott Ruggles
 Liz Fessler Smith
 Andrea C. Voorheis
 Michael Powell

WHITE LAKE TOWNSHIP

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

March 7, 2022

Andrew Bienkowski
 2230 Wiggen Ln
 White Lake, MI 48386

RE: Proposed 2nd Story Addition

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

Article 3.1.6 of the White Lake Township Clear Zoning Ordinance: Requires a minimum side yard setback of 10 ft each side and total of 20 ft, minimum front yard setback of 30 ft, minimum rear yard setback of 30 ft. minimum lot area of 12,000 sq ft, minimum lot width of 80 ft, and maximum lot coverage of 20%.

Article 3.11.Q of the White Lake Township Clear Zoning Ordinance: No building or structure shall be located closer than 25 feet to any regulated wetland, submerged land, watercourse, pond, stream, lake or like body of water.

The existing lot is legal non-conforming. The approximate 8,233 sq ft, 32 ft wide lot contains a residential structure which is planned to be demolished. The proposed new structure would have a 5.2 ft side yard setback on the north side and 5.5ft side yard setback on the south side for a total of 10.7 ft; a 21 ft front yard setback, and 24 ft rear yard setback from the water's edge. Furthermore, the proposed roof overhang is 1 ft. Article 5.3 states that in no instance shall any portion of the proposed structure project closer than 5 ft to either side yard lot line.

Approval of the building plans is subject to a variance to the schedule of regulations, Article 7 of the White Lake Township Clear Zoning Ordinance. To be eligible for the April 28th Zoning Board of Appeals (ZBA) meeting, application must be submitted to the White Lake Township Planning Department no later than March 24th at 4:30 PM. **A certified boundary and location survey will be required by the ZBA.** The Planning Department can be reached at (248)698-3300, ext. 5

Sincerely,

Nick Spencer, Building Official
 White Lake Township

WHITE LAKE TOWNSHIP ZONING BOARD OF APPEALS

REPORT OF THE COMMUNITY DEVELOPMENT DEPARTMENT

TO: Zoning Board of Appeals
FROM: Justin Quagliata, Staff Planner
DATE: May 26, 2022

Agenda item: 7a

Appeal Date: May 26, 2022

Applicant: Michelle Squires

Address: 9578 Buckingham Road
White Lake, MI 48386

Zoning: R1-D Single Family Residential

Location: 9578 Buckingham Road
White Lake, MI 48386

Property Description

The 0.296-acre (12,910 square feet) parcel identified as 9578 Buckingham Road is located on Pontiac Lake and zoned R1-D (Single Family Residential). The public sanitary sewer system serves the site.

Applicant's Proposal

Michelle Squires, the applicant, is requesting a post-construction variance to exceed the maximum lot coverage.

Planner's Report

On December 17, 2020 the Zoning Board of Appeals (ZBA) approved variance requests to construct an addition. The following variances were previously granted:

- 22-foot variance from the front yard setback
- 8.52% variance from the maximum lot coverage
- 186.58% variance to exceed allowed improvement value to nonconforming structure

A survey was not submitted with the 2020 variance application. Oakland County information indicated the parcel was approximately 13,111 square feet in size; this number was utilized to calculate lot coverage in 2020. Based on the survey submitted with the current variance application, the parcel is 12,910 square feet in size (201 square feet less in area than previously considered). 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 indicates 4,190 square feet of lot coverage (451 square feet of additional lot coverage than considered in 2020).

As the addition did not comply with the 2020 lot coverage variance granted by the ZBA, a post-construction variance is requested to allow 32% lot coverage. The previously approved variance allowed 28.52% lot coverage; therefore, a 3.48% variance is being requested to further exceed the maximum lot coverage.

The requested variance is listed in the following table.

Variance #	Ordinance Section	Subject	Standard	Requested Variance	Result
1	Article 3.1.6.E	Maximum lot coverage	20% (28.52% with prior variance)	3.48%	32%

Similar to a pre-construction variance request, for a post-construction variance request the ZBA may approve, approve with conditions, or deny the variance. In this case, if the variance is approved the house as constructed would be considered conforming. If the variance is approved with conditions, the ZBA may require corrective measures by imposing conditions to accomplish the purposes and intent of the zoning ordinance, and prevent or minimize adverse impacts on properties in the vicinity. If the variance is denied, the violation would be required to be eliminated in order for the house to comply with the previous ZBA action taken on December 17, 2020.

Zoning Board of Appeals Options:

Approval: I move to approve the post-construction variance requested by Michelle Squires from Article 3.1.6.E of the Zoning Ordinance for Parcel Number 12-14-201-014, identified as 9578 Buckingham Road, in order to allow the lot coverage to exceed 3.48% beyond the 8.52% variance granted on December 17, 2020. This approval will have the following conditions:

-

Denial: I move to deny the post-construction variance requested by Michelle Squires for Parcel Number 12-14-201-014, identified as 9578 Buckingham Road, due to the following reason(s):

Table: I move to table the post-construction variance request of Michelle Squires for Parcel Number 12-14-201-014, identified as 9578 Buckingham Road, to consider comments stated during this public hearing.

Attachments:

1. Variance application dated April 7, 2022.
2. Applicant’s written statement dated April 7, 2022.
3. SketchUp drawing submitted with 2020 variance application.
4. Survey dated March 22, 2022.
5. Building Official emails pertaining to the property.
6. Minutes of the December 17, 2020 Zoning Board of Appeals Special Meeting.
7. Staff report dated December 17, 2020.

7.37 STANDARDS

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

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

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

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

APPLICANT'S NAME: Michelle Squires PHONE: 734 368 1593
ADDRESS: 9578 Buckingham, White Lake, MI 48386
APPLICANT'S EMAIL ADDRESS: michelle.dorrine.squires@gmail.com
APPLICANT'S INTEREST IN PROPERTY: OWNER BUILDER OTHER: _____

ADDRESS OF AFFECTED PROPERTY: 9578 Buckingham PARCEL # 12 - 14-201-014
CURRENT ZONING: _____ PARCEL SIZE: _____

STATE REQUESTED VARIANCE AND ORDINANCE SECTION: _____
VALUE OF IMPROVEMENT: \$ _____ 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: Michelle Squires DATE: 4/7/22

Justin Quagliata

From: Michelle <michelledorrinesquires@gmail.com>
Sent: Thursday, April 7, 2022 9:19 AM
To: Justin Quagliata
Cc: Amy Marino; Nick Spencer
Subject: Re: Actually signed variance app - statement
Attachments: 2022 ZBA Application Package.pdf

Statement for variance:

It was my understanding that the lot coverage issues that came up, after permits had been issued, were addressed during the December 17, 2020 ZBA meeting where the lot coverage variance was approved pending a legal survey.

A legal survey was submitted to the township on April 23, 2021 and I was informed additional measurements were required. There was no mention of any additional lot coverage concerns at that time.

In March of this year, another legal survey was submitted to the township with all the required measurements. At this time, I was informed the lot coverage exceeds what was approved during the previous ZBA meeting.

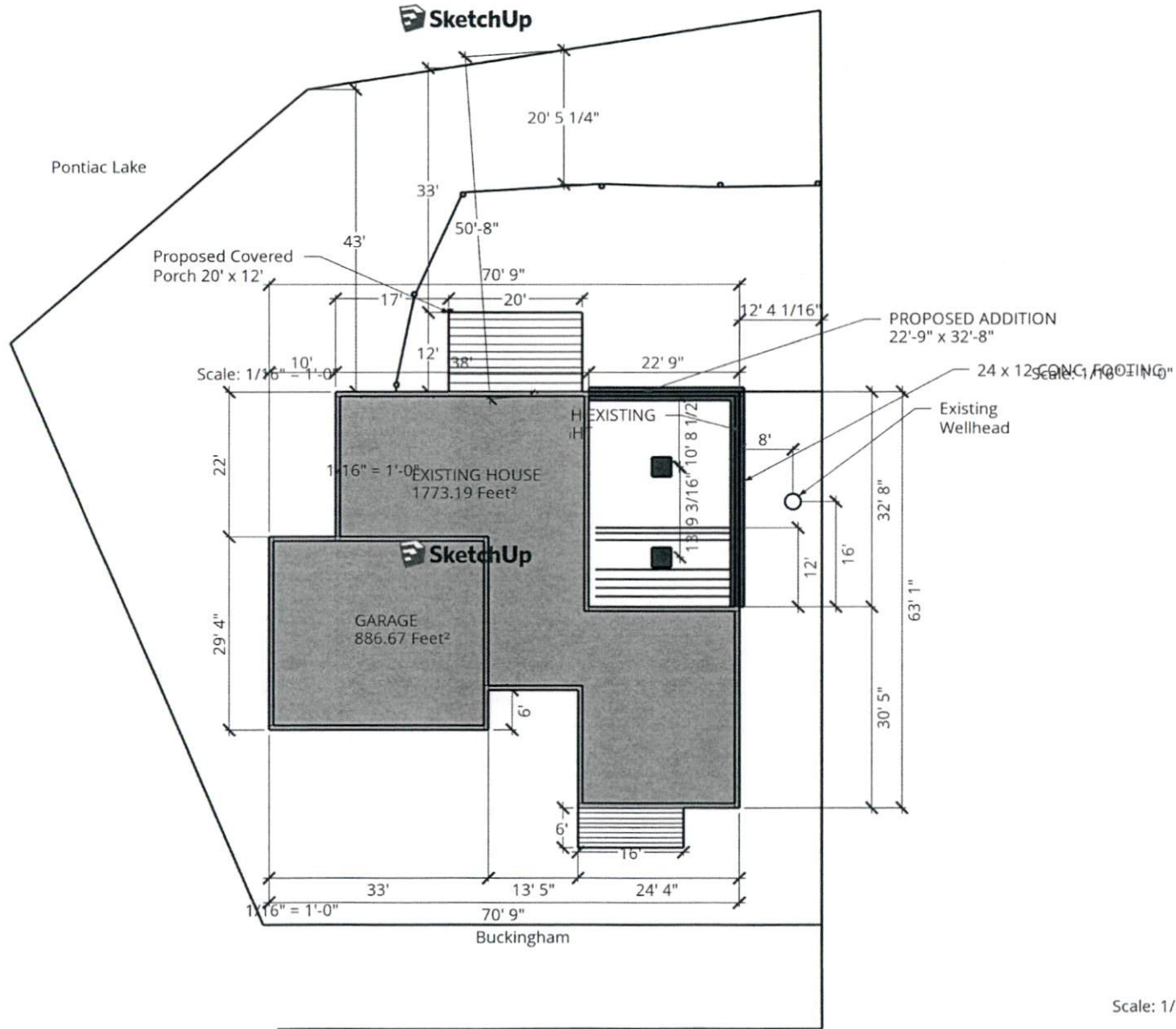
I am unaware of how the initial lot coverage was calculated during the ZBA meeting in Dec 2020, as the 28.52% was a calculation made and presented by the township. The addition, including front and rear covered porches, did not and have not deviate(d) from the approved plans.

After extensive back and forth email communication along with a phone conversation, I have been told the only way to correct the lot coverage miscalculation is to obtain another variance, which is what I'm hoping will be approved to allow this project to be closed.

Thank you for you time and consideration,

Michelle Squires
 734-368-1593
 9578 Buckingham
 White Lake, MI 48386

> On Apr 7, 2022, at 8:50 AM, Michelle <michelledorrinesquires@gmail.com> wrote:
 >
 > Morning Justin,
 >
 > Apparently it helps if I double check that I actually filled out as much of the application as I could.
 >
 > Sorry about that. I'll send a follow up with my reasoning for needing it unless you don't think I need that?
 >
 >
 >
 > Thank you,
 >



Scale: 1/16" = 1'-0"

SKETCH OF SURVEY

Prepared For: MICHELLE SQUIRES

Legal Description:

Lots 185 and 186 of ENGLISH VILLAS, a subdivision of part of Sections 11, 13, and 14; T. 3 N., R. 8 E., White Lake Township, Oakland County, Michigan as recorded in Oakland County Records.

PARCEL ID: 12-14-201-014

ZONING:

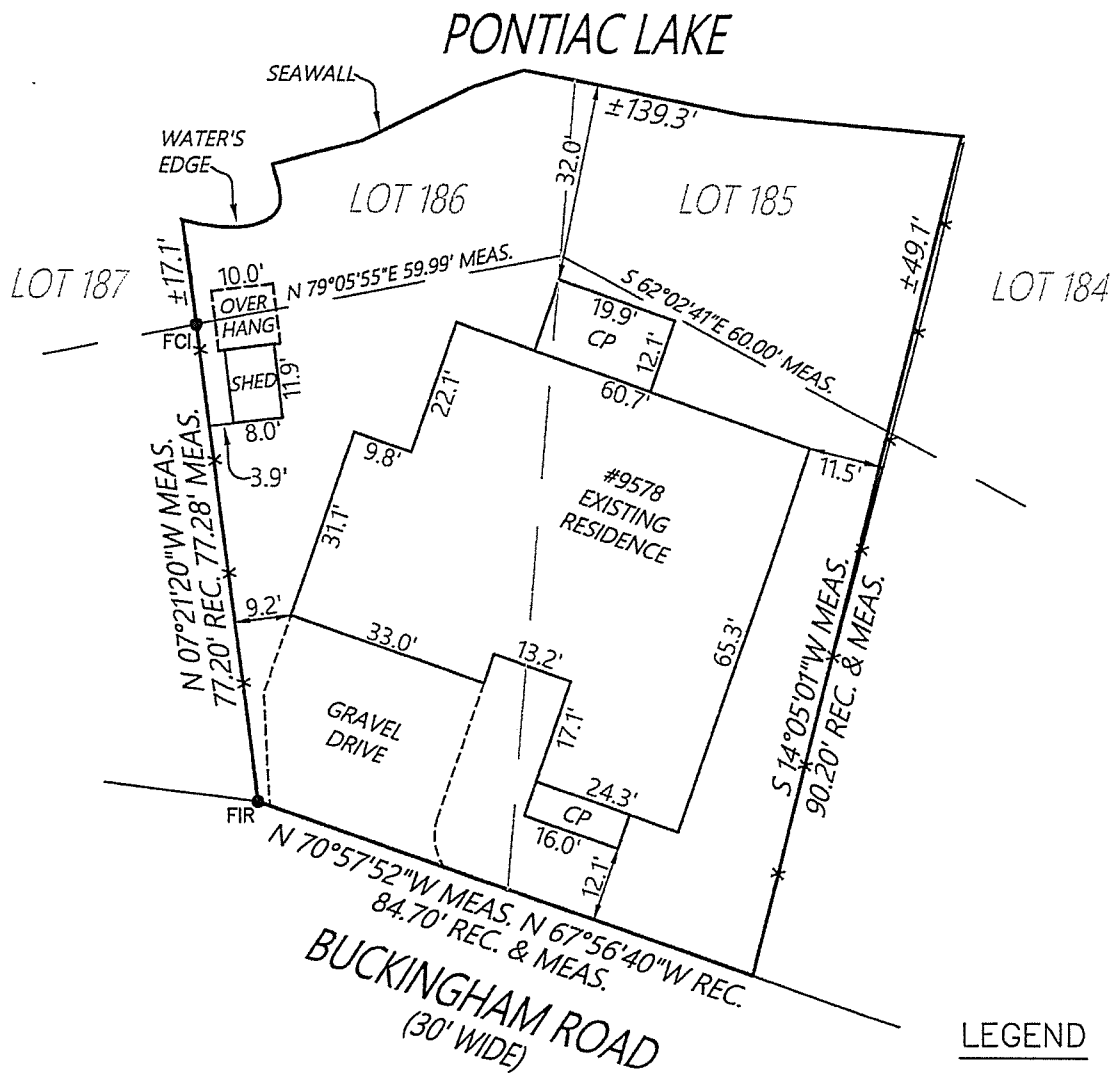
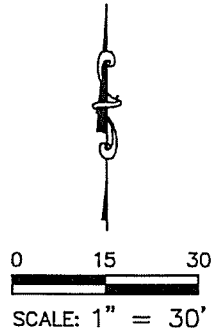
PROPERTY IS ZONED: R1-D
(SINGLE FAMILY RESIDENTIAL)

SETBACKS:

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

MAXIMUM LOT COVERAGE = 20%

LOT COVERAGE CALCULATIONS	
EXISTING RESIDENCE	= 3762 SQ FT
EXISTING SHED	= 95 SQ FT
FRONT COVERED PORCH	= 93 SQ FT
REAR COVERED PORCH	= 240 SQ FT
<hr/>	
TOTAL	= 4190 SQ FT
<hr/>	
LOT SIZE	= 12,910 SQ FT
20% OF LOT	= 2582 SQ FT
TOTAL LOT COVERAGE	= 32%



LEGEND

- - IRON SET
- - IRON FOUND
- ⊙ - FOUND CONC MONUMENT
- MEAS. - MEASURED
- REC. - RECORDED
- FCI - FOUND CAPPED IRON
- FIR - FOUND IRON ROD
- SCI - SET CAPPED IRON
- FCM - FOUND CONC MONUMENT

NOTE:

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

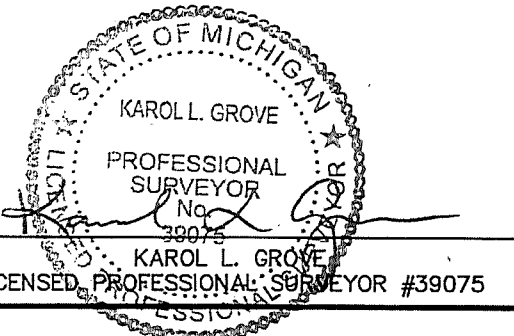
BEARING BASIS:

BEARINGS BASED ON MICHIGAN STATE PLANE COORDINATES, NAD83, MICHIGAN SOUTH ZONE

NOTE:

ROOF OVERHANG AREA LOCATED NEAR SHED IS NOT INCLUDED IN LOT COVERAGE CALCULATIONS.

I hereby certify only to the parties hereon, that we have surveyed, at the direction of said parties, the above described lot, and that we have found or set as noted hereon, permanent markers at the exterior corners of said lot and that all visible encroachments of a permanent nature upon said lot, are as shown on this survey. Said lot subject to all easements and restrictions of record.



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

ALPINE Land Surveying, Inc.

FIELD: KG	DATE: 03-22-2022
DRAWN: DJS	JOB NO: 22-5805
CHECKED: KG	SHEET: 1 OF 1
REVISED:	

Michelle

I just got back into the office, pulled your file and skimmed through the emails I had back and forth with your contractor. Please see the highlighted below.

We were never provided a legal survey for this property. Therefore, everything was based on what was submitted by your contractor, and what information could be pulled from the county. I believe I even had a conversation with your contractor about needing a legal survey so the information he is providing could be validated. You and/or your contractor are responsible for providing accurate information. Not at one time did you or your contractor dispute the information, or seek to correct inaccurate information that was gathered based on approximate values.

From: Nick Spencer
Sent: Friday, November 20, 2020 3:23 PM
To: 'chris Lesperance' <lesperancechris@yahoo.com>
Subject: RE: 9578 Buckingham

Good Afternoon Chris

As I mentioned yesterday in my email there is concern about property coverage. I ran the numbers based on property information from the county and the drawings you submitted. Based on the information from the county the property is approximately 13,111 sq ft. Based on your drawings, all the existing structures and proposed structures, excluding the front covered porch comes to approximately 3689 sq ft. This would be a property coverage of approximately 28%.

Unfortunately the township ordinance for R1D zoning only allows 20% coverage, anything over 20% would require a variance. Again, this information is based on what was submitted and what I found at the county because I do not have a legal survey with this information, and based on what was submitted to the building department for the permit it appeared there was not a coverage issue.

The property owner is already going to the ZBA in December for the front porch, so we could add this on to the agenda, but we would have to do this by next Monday the 23rd because it has to be published. While I was on site today, I did approve the foundations subject to engineering report and property coverage. However, I cannot guarantee that this will be approved by the ZBA so I would suggest not continuing with the foundations until after the meeting.

Furthermore, the rear screened porch is very close to the 30 ft required setback from the water's edge as highlighted as a stipulation on the permit. We will need a survey showing the setbacks and property coverage.

If you have questions please get in touch with me ASAP.

Thank You

Nick Spencer

Building Official | Community Development

WHITE LAKE TOWNSHIP
 ZONING BOARD OF APPEALS SPECIAL MEETING
DECEMBER 17, 2020
 7525 Highland Road
 White Lake, MI 48383

Ms. Spencer called the special meeting of the White Lake Township Zoning Board of Appeals to order at 5:30 PM and led the Pledge of Allegiance. Roll was called:

ROLL CALL: Mike Powell
 Nik Schillack
 Clif Seiber
 Josephine Spencer –Chairperson
 Dave Walz – Vice Chair - Excused
 Debby Dehart

Also Present: Justin Quagliata, Staff Planner
 Hannah Micallef, Recording Secretary

Visitors: 0

Approval of the Agenda:

Mr. Schillack MOTIONED to approve the agenda as presented. Ms. Dehart SUPPORTED and the MOTION CARRIED with a roll call vote (Schillack/yes, Dehart/yes, Seiber/yes, Powell/yes, Spencer/yes).

Approval of Minutes:

Zoning Board of Appeals Regular Meeting of October 22, 2020.
 Zoning Board of Appeals Regular Meeting of December 10, 2020.

Mr. Schillack MOTIONED to approve the Zoning Board of Appeals Regular Meeting Minutes of October 22, 2020 as presented. Mr. Seiber supported and the MOTION CARRIED with a roll call vote (Schillack/yes, Seiber/yes, Dehart/yes, Powell/yes, Spencer/yes)

Mr. Schillack said there was a typo on page 8. Mr. Schillack MOTIONED to approve the Zoning Board of Appeals Regular Meeting Minutes of December 10, 2020 as amended. Mr. Powell SUPPORTED and the MOTION CARRIED with a roll call vote (Schillack/yes, Powell/yes, Seiber/yes, Spencer/yes, Dehart /yes).

New Business:

- a. 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 construct an addition and covered porch on a single-family house, requiring variances from Article 3.1.6.E, R1-D Single Family Residential Front-Yard Setback and Maximum Lot Coverage. A variance from Article 7.28.A, Repairs and Maintenance to Nonconforming Structures will be required due to both the value of improvements and the increase in cubic content.

Ms. Spencer noted for the record that 21 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 US Postal Service.

Mr. Quagliata gave his staff report.

Mr. Schillack asked staff when the applicant received the stop work order. Mr. Quagliata said he spoke to the applicant on November 23rd, 2020, and followed up with an email the same day. Mr. Schillack asked if the addition foundation was poured after November 23rd, 2020. Mr. Quagliata confirmed.

Mr. Powell asked staff if the work was done with an approved building permit. Mr. Quagliata confirmed, and said the building permit was issued in error. Mr. Powell asked staff if it was common for the houses in the area to be over the maximum lot coverage. Mr. Quagliata confirmed.

Mr. Schillack asked staff if the construction work that took place was in accordance with the permit that was issued in error. Mr. Quagliata confirmed, and added the rear covered porch was already constructed by the time staff realized there was a zoning issue. The rear covered porch and the addition was approved on November 9th, 2020, on the permit that was issued in error. The front porch was not approved and no work had been done in that regard.

Ms. Michelle Squires was present along with her attorney, Amy Marino, 27495 Franklin Road, Apt 6, Southfield, Michigan. Ms. Marino spoke on behalf of the applicant. Ms. Marino said her client was advised in writing on November 9th that she would have to apply for a variance for the front porch, and Ms. Squires was aware of this and had not begun work on the front porch. The back porch and addition were a different story; Ms. Squires acted on good faith from the permit that was issued on November 9th, 2020 for the rear porch and the addition. Ms. Squires was notified on November 23, 2020 there was an issue with the permit, and she had already spent a substantial amount of money on supplies and labor by that time. The roof on the house was vulnerable as well.

Mr. Powell asked the applicant about the proposed cover on the front porch. It was proposed 6' deep and 16' wide. He asked if the front covered porch would be better over the door on the east side of the house and why it needed to be 16' wide when the front porch only measured about 5' wide.

Ms. Squires said if her variance request were granted, she would move the entrance for the front porch to the east side. She said there was an error on the plans submitted and the front porch was only going to be 12' wide to accommodate a wider entrance.

Ms. Seiber asked staff if building inspections were continued as construction was proceeded. Mr. Spencer confirmed, he went out to the home to inspect the footings, that was when the issue with the lot coverage was noticed. At that time, the footings had been dug but not poured. The footings were previously approved.

Ms. Dehart asked the applicant if the variance was not granted for the covered front porch, would the door be left where it was now and would the door have coverage over it. Ms. Squires said the door currently did not have coverage, and if the door were moved without the variance, there wouldn't be coverage over it.

Ms. Dehart asked staff if lot coverage was usually calculated for an addition. Mr. Spencer said usually it was, but it was missed this time.

Ms. Spencer opened the public hearing at 6:02 P.M. She read a letter of opposition into the record.

Nick Oosting, 9568 Buckingham. He said there were two accessory structures on the west side of the property that were not included on the drawing presented. He was in opposition of the variance for lot coverage.

Ms. Spencer closed the public hearing at 6:11 P.M. Ms. Spencer reopened the public hearing at 6:13 P.M.

Paul Shot, 9548 Buckingham. He was in opposition to the applicant's construction. He said his view to the lake was being taken away by the applicant's construction.

Ms. Spencer closed the public hearing at 6:14 P.M.

Ms. Dehart asked the applicant if the accessory buildings were not there, would it help the lot coverage. Ms. Squires said there was one, which was built a long time ago, and the other is a deck box which could be moved. Mr. Quagliata said those accessory structures weren't taken into account when he calculated lot coverage.

Mr. Powell MOVED approve the variances requested by Michelle Squires from Article 3.1.6.E and Article 7.28.A of the Zoning Ordinance for Parcel Number 12-14-201-014, identified as 9578 Buckingham Road, in order to construct a covered porch that would encroach 22 feet into the required front yard setback, and an addition that would exceed the allowed lot coverage by 8.52%. A variance from Article 7.28.A is also granted to exceed the allowed value of improvements to a nonconforming structure by 186.58%. 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.**

Mr. Seiber SUPPORTED, and the MOTION CARRIED with a roll call vote (4 yes votes):

Powell: YES; there was a non self-imposed hardship and the site posed a practical difficulty.

Seiber: YES; there was a practical difficulty in regards to the front porch, a cover was needed and 6' was not accessible.

Dehart: YES; there was a practical difficulty that was not self created.

Schillack: YES; the Township needed to stand by its word.

Spencer: NO; there was no practical difficulty. The situation was not unique and was self created. The ZBA was not denying the applicant substantial justice in utilizing their property.

- b.** Applicant: Timothy M. Andres
490 Burgess Drive
White Lake, MI 48386
- Location: **490 Burgess Drive**
White Lake, MI 48386 identified as 12-27-427-016
- Request: The applicant requests to construct an addition to a single-family house, requiring variances from Article 3.1.5.E, R1-C Single Family Residential Front-Yard Setback, Side-Yard Setback, Minimum Lot Area, and Minimum Lot Width. A variance from Article 7.28.A, Repairs and Maintenance to Nonconforming Structures will be required due to both the value of improvements and the increase in cubic content.

Ms. Spencer noted for the record that 27 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 US Postal Service.

Mr. Quagliata gave his staff report.

Mr. Powell asked staff if there was a relationship between the zoning ordinance and setback to the retaining walls versus the structure itself. Mr. Quagliata said there was a section of the building code that stated if a retaining wall was over a certain height, a permit would be required. If the retaining wall was attached to the house, it would be considered a part of the house.

Mr. Schillack asked staff if the addition was an increase, decrease, or no change to the nonconformity of the home. Mr. Quagliata said there was no increase in nonconformity, but because the finished floor of the garage would be raised, and had to be demolished to do so, the nonconforming status of the garage would be lost so the ordinance requiring compliance with setbacks was triggered.

Tim Andres was present to speak on his case. He said the retaining wall would be 3' tall, and there would not be a screen wall over the top of it, just plantings. It would be attached to the house under grade, but it wouldn't have to be anchored to the house. It would be 8' from the front yard lot line, and projected out in front of the garage. He said he was not changing the footprint or the size of the garage, and he was going to remove the second floor over the garage.

Ms. Spencer opened the public hearing at 6:34 P.M. Seeing no public comment, she closed the public hearing at 6:34 P.M.

Mr. Powell MOVED to approve the variances requested by Timothy M. Andres from Article 3.1.5.E and 7.28.A of the Zoning Ordinance for Parcel Number 12-27-427-016, identified as 490 Burgess Drive, in order to construct an attached garage that would encroach 27 feet into the required front yard setback and 1.6 feet into the required east side yard setback. A variance from Article 7.28.A is also granted to exceed the allowed value of improvements to a nonconforming structure by 280%. A 30-foot variance from the required lot width and 6,112 square foot variance from the required lot size are also granted from Article 3.1.5.E. This approval will have the following conditions:

- **The Applicant shall obtain all necessary permits from the White Lake Township Building Department.**
- **Prior to issuance of a building permit the applicant shall obtain a permit from the Road Commission for Oakland County (RCOC) to work in the Burgess Drive right of- way to improve the driveway.**

Mr. Schillack SUPPORTED, and the MOTION CARRIED with a roll call vote (5 yes votes):

Powell: YES; it would protect the home from water damage.

Schillack: YES; for the reasons stated and it was a good improvement to the neighborhood.

Seiber: YES; the driveway condition was a hardship and the variances would remedy that.

Dehart: YES; for all of the reasons stated.

Spencer: YES; for all of the reasons stated.

- c. Applicant: Robert Snapp
3960 Woodmere Drive
Waterford, MI 48329
- Location: **8834 Arlington Road**
White Lake, MI 48386 identified as 12-13-176-002
- Request: The applicant requests to construct a single-family house, requiring variances from Article 3.1.6.E, R1-D Single Family Residential Side-Yard Setback, Maximum Lot Coverage, Minimum Lot Area, and Minimum Lot Width.

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

Mr. Quagliata gave his staff report.

Mr. Schillack asked staff if the nonconformities would be decreased, increased, or kept the same. Mr. Quagliata said the new house would be slightly closer to the side yard lot line by approximately 1', so nonconformities would be increased.

Mr. Powell said the existing home was 6.7' off the west property line and 15' off the east property line. The existing home to the west was 2.3' from the shared property line, and the home to the east was 3.3' from the shared property line. He wanted to understand the floorplan and why the applicant would increase the nonconformities.

Mr. Powell MOVED to table the variance requests of Robert Snapp for Parcel Number 12-13- 176-002, identified as 8834 Arlington Road, to allow the applicant an opportunity to revise the plan.

Mr. Schillack SUPPORTED, and the MOTION CARRIED with a roll call vote (5 yes votes):

Powell: YES.

Schillack: YES; there were other ways to avoid increased nonconformities.

Dehart: YES; for all of the reasons stated.

Spencer: YES; for all of the reasons stated.

Seiber: YES; for all of the reasons stated.

Other Business:

2021 Meeting Dates.

Mr. Schillack MOVED to approve the Zoning Board of Appeals 2021 Meeting dates. Mr. Powell SUPPORTED, and the MOTION CARRIED with a roll call vote (Schillack/yes, Powell/yes, Spencer/yes, Dehart/yes, Seiber/yes).

Adjournment: Mr. Powell **MOTIONED** to adjourn the meeting at 6:50 P.M. Ms. Dehart **SUPPORTED**. All in favor.

Next Meeting Date: January 28, 2021

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 17, 2020

Agenda item: 6a

Appeal Date: December 17, 2020

Applicant: Michelle Squires

Address: 9578 Buckingham Road
White Lake, MI 48386

Zoning: R1-D Single Family Residential

Location: 9578 Buckingham Road
White Lake, MI 48386

Property Description

The approximately 0.301-acre (13,111.56 square feet) parcel identified as 9578 Buckingham Road is located on Pontiac Lake and zoned R1-D (Single Family Residential). The existing house on the property (approximately 2,660 square feet in size) utilizes a private well for potable water and the public sanitary sewer system for sanitation.

Applicant's Proposal

Michelle Squires, the applicant, is proposing to construct a covered front porch on the south side of the house.

Planner's Report

A building permit was issued on November 9, 2020 for a 22'-9" by 32'-8" (743 square feet) addition on the east side of the house and a 12 foot by 20 foot (240 square feet) covered porch on the rear of the house. Issuance of the permit resulted in noncompliance with the zoning ordinance. Variances should have been required for lot coverage and the value of improvement to a nonconforming structure. The rear covered porch was constructed prior to intervention by the Planning Department. In an email dated November 23, 2020 staff recommended the applicant stop work until after a decision was rendered by the Zoning Board of Appeals. Since that time footings have been poured for the addition. Staff informed the applicant of the possible ramifications of continued work, which could include removing footings and/or the covered porch if the variances are denied.

The existing house is nonconforming to setbacks; the building is located approximately 14 feet from the front lot line. The proposed covered porch is 6 feet by 16 feet (96 square feet) in size and would be added to the front of the house. The porch would be located approximately eight (8) feet from the front property line. A variance of 22 feet is requested to encroach into the front yard setback. Additionally, the proposed lot coverage is 28.52% (3,739.10 square feet), which is 8.52% (1,116.79 square feet) beyond the 20% maximum lot coverage allowed (2,622.31 square feet).

Article 7.28 of the zoning ordinance states repairs and maintenance to nonconforming structures cannot exceed fifty percent (50%) of the State Equalized Valuation (SEV) in any period of twelve (12) consecutive months. Further, the ordinance does not allow the cubic content of nonconforming structures to be increased. Based on the SEV of the structure (\$128,630), the maximum extent of improvements cannot exceed \$64,315. The value of the proposed work is \$120,000. A variance to exceed the allowed value of improvements by 186.58% is requested.

The requested variances are listed in the following table.

Variance #	Ordinance Section	Subject	Standard	Requested Variance	Result
1	Article 3.1.6.E	Front yard setback	30 feet	22 feet	8 feet
2	Article 3.1.6.E	Maximum lot coverage	20% (2,622.31 square feet)	8.52% (1,116.79 square feet)	28.52% (3,739.10 square feet)
3	Article 7.28.A	Nonconforming structure	50% SEV (\$64,315)	186.58%	\$55,685 over allowed improvements

Recommended Motions:

Approval: I move to approve the variances requested by Michelle Squires from Article 3.1.6.E and Article 7.28.A of the Zoning Ordinance for Parcel Number 12-14-201-014, identified as 9578 Buckingham Road, in order to construct a covered porch that would encroach 22 feet into the required front yard setback, and an addition that would exceed the allowed lot coverage by 8.52%. A variance from Article 7.28.A is also granted to exceed the allowed value of improvements to a nonconforming structure by 186.58%. 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.

Denial: I move to deny the variances requested by Michelle Squires for Parcel Number 12-14-201-014, identified as 9578 Buckingham Road, due to the following reason(s):

Table: I move to table the variance requests of Michelle Squires for Parcel Number 12-14-201-014, identified as 9578 Buckingham Road, to consider comments stated during this public hearing.

Attachments:

1. Variance application dated November 12, 2020.
2. Applicant's written statement.
3. SketchUp drawing.

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.

WHITE LAKE TOWNSHIP ZONING BOARD OF APPEALS

REPORT OF THE COMMUNITY DEVELOPMENT DEPARTMENT

TO: Zoning Board of Appeals
FROM: Justin Quagliata, Staff Planner
DATE: May 26, 2022

Agenda item: 7b

Appeal Date: May 26, 2022

Applicant: M.J. Whelan Construction

Address: 620 Milford Road
Milford, MI 48381

Zoning: R1-D Single Family Residential

Location: 10245 Lakeside Drive
White Lake, MI 48386

Property Description

The approximately 0.25-acre (10,890 square feet) parcel identified as 10245 Lakeside Drive is located within the Teggerdine Beach subdivision on Oxbow Lake and zoned R1-D (Single Family Residential). The existing house on the property (approximately 1,695 square feet in size) utilizes a private well for potable water and a private septic system for sanitation.

Applicant’s Proposal

M.J. Whelan Construction, the applicant, on behalf of property owners Jim and Lisa Love, is proposing to construct a second-story addition on the house.

Planner’s Report

Currently the existing house is nonconforming; the building is located 8.7 feet from the west side lot line (the chimney to be removed is located 7.1 feet from the west side lot line). A minimum 10-foot side yard setback is required in the R1-D zoning district.

The building permit application and architectural plans indicate the proposed second-story addition is 325 square feet in size and would not increase the number of bedrooms (three) in the house. As proposed, the second-story addition would maintain the existing west side yard setback nonconformity, encroaching 1.3 feet into the side yard setback.

The requested variances are listed in the following table.

Variance #	Ordinance Section	Subject	Standard	Requested Variance	Result
1	Article 7.23.A	Nonconforming structure	No enlargement or alteration	Enlarge and alter nonconforming house	Increased nonconformities
2	Article 3.1.6.E	Minimum lot area	12,000 square feet	1,110 square feet	10,890 square feet
3	Article 3.1.6.E	Minimum lot width	80 feet	37.5 feet	42.5 feet

Zoning Board of Appeals Options:

Approval: I move to approve the variances requested by M.J. Whelan Construction from Article 3.1.6.E, Article 7.23.A, and Article 7.28.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.

Denial: I move to deny the variances requested by M.J. Whelan Construction for Parcel Number 12-22-477-005, identified as 10245 Lakeside Drive, due to the following reason(s):

Table: I move to table the variance requests of M.J. Whelan Construction for Parcel Number 12-22-477-005, identified as 10245 Lakeside Drive, to consider comments stated during this public hearing.

Attachments:

1. Variance application dated April 8, 2022.
2. Applicant's written statement dated April 8, 2022.
3. Lot survey dated December 17, 2021.
4. Architectural plans dated March 17, 2022.
5. Letter of denial from the Building Official dated March 30, 2022.

7.37 STANDARDS

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

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

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

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

CHARTER TOWNSHIP OF WHITE LAKE
ZONING BOARD OF APPEALS APPLICATION

Item B.

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

APPLICANT'S NAME: M.J. Whelan Construction PHONE: (248) 684-4649

ADDRESS: 620 Milford Rd. Milford, Mi

APPLICANT'S EMAIL ADDRESS: Cindyg@mjwhelan.com

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

ADDRESS OF AFFECTED PROPERTY: 10245 Lakeside Dr. PARCEL # 12-22-477-055

CURRENT ZONING: R1-D PARCEL SIZE: 10,890 sq ft.

STATE REQUESTED VARIANCE AND ORDINANCE SECTION: 1.3' variance on side lot for 2nd story addition, Article 3.16, side yard setback

VALUE OF IMPROVEMENT: \$ 180,000 SEV OF EXISITING STRUCTURE: \$ 201,400

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

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

APPLICANT'S SIGNATURE: Cynthia Gralonski DATE: 4/8/22
M.J. Whelan Construction



April 8, 2022

Re: 10245 Lakeside Dr.

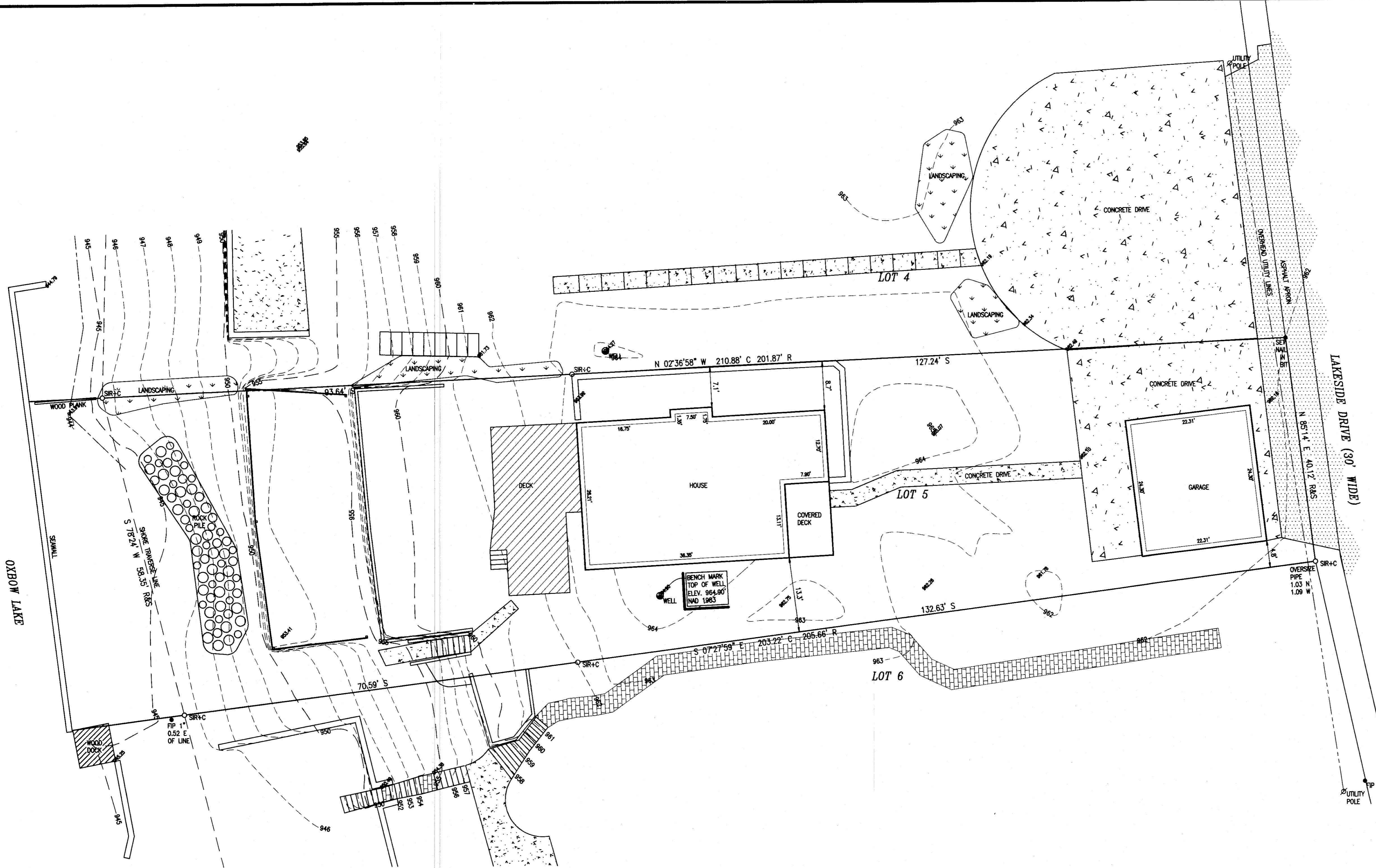
To Whom it May Concern,

M. J. Whelan Construction, along with Jim and Lisa Love, are requesting a 1.3 foot variance on the proposed remodel and second story addition for their home. Given that the existing home is only 8.7 feet off the side yard property line and is currently non-complying, we are asking that the same distance be allowed on the proposed 2nd floor addition. It is our intent to *not* increase the existing non-compliance while producing an architecturally pleasing and functional renovation.

Sincerely,

A handwritten signature in black ink, appearing to read "Matt Whelan", is written over a horizontal line.

Matt Whelan
President
M.J. Whelan Construction



Land Description:
Lot 5, "Teggerdine Beach" Subdivision, as recorded in Liber 30 on Page 16 of Plats.

LOT 5
12-22-477-005
10245 LAKESIDE DRIVE

Surveying Michigan with pride

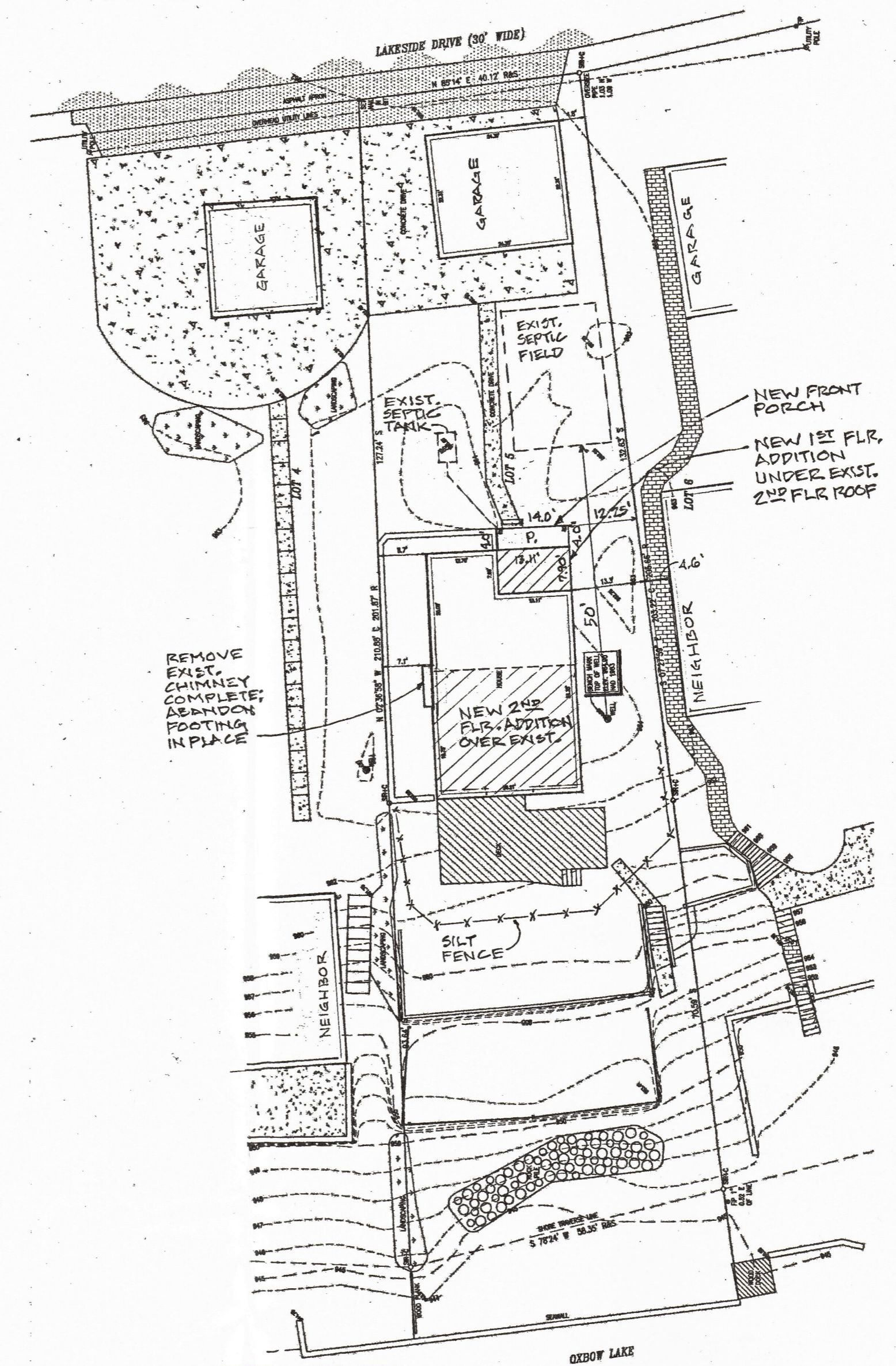
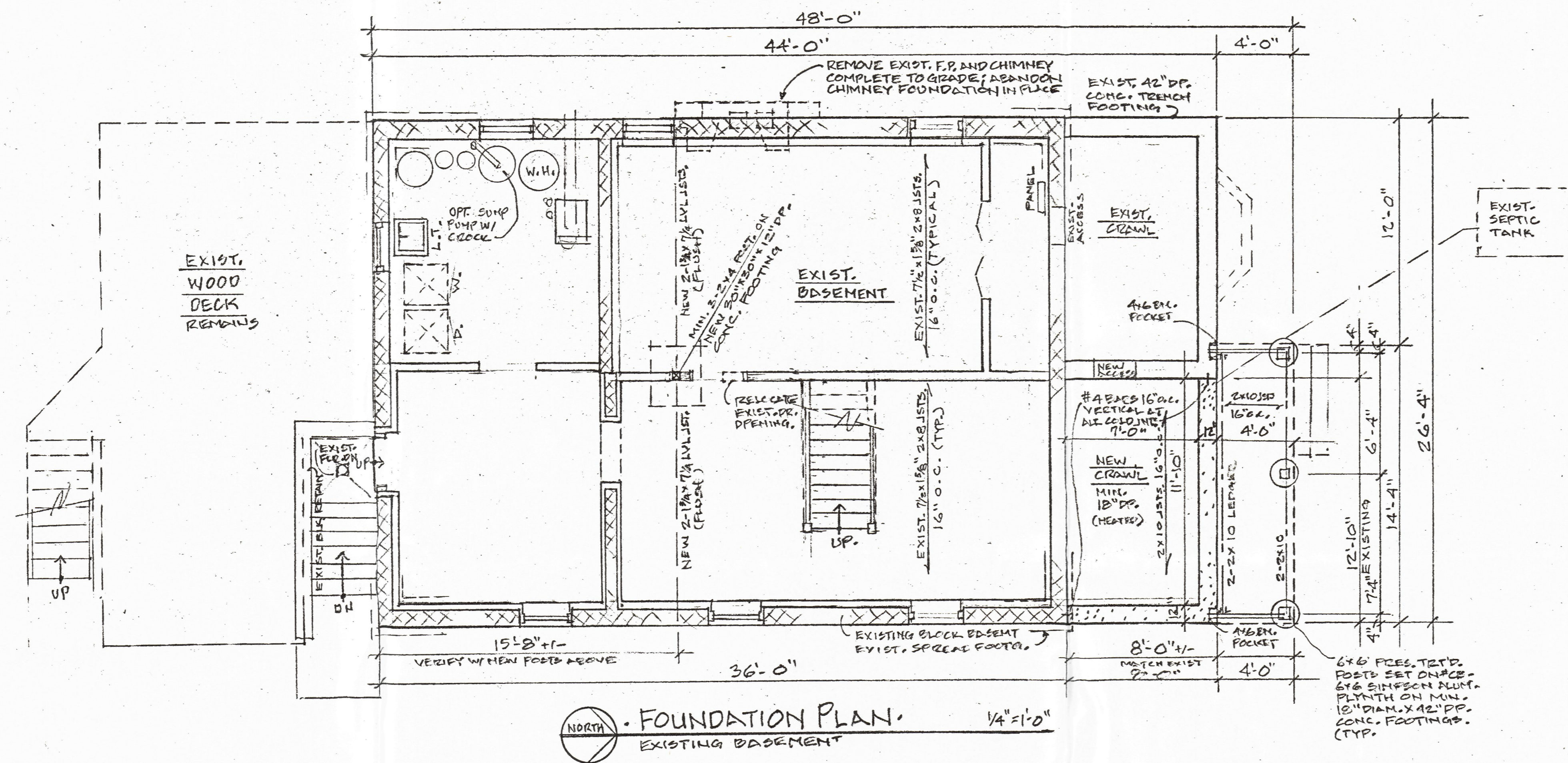
C:\PSDATA\DATA21\211010.dwg F:\ Dec 17 18:33:00 2021 MS-2

	FIELD BOOK: _____ PAGE: _____ DRAWING FILE: 211010.dwg DATA FILE: 211010P DESC. FILE: 211010		LOT SURVEY "TEGGERDINE BEACH" SUBDIVISION, L. 30, P. 16, LOT 5, T. 3N., R. 8E., OAKLAND COUNTY, SECTION 22, P.L. #12-22-477-005, 10245 LAKESIDE DRIVE, WHITE LAKE, MICHIGAN 48386	DATE _____ DECEMBER 17, 2021	
	For JAMES R. & LISA B. LOVE, JR. 7422 AUTUMN HILL DRIVE WEST BLOOMFIELD, MICHIGAN 48323 jrllovejr@yahoo.com (248) 561-3543		SHEET 1 OF 1 SCALE: 1" = 10' JOB NO.: -21-1010 PHONE: (248) 634-0700 EMAIL: CWS@TIR.COM		

ISSUED FOR	DATE
OWNER REVIEW	3-17-22

620 N. Milford Rd.
 Milford, MI 48381
 248-684-4649
 www.mjwhelan.com Fax: 248-685-0179

M.J. WHELAN
 CONSTRUCTION



FOUNDATION PLAN
 EXISTING BASEMENT
 1/4" = 1'-0"

SITE PLAN
 LOT #5, TEGGERDINE BEACH SUB.
 PARCEL #: 12-22-477-005
 1" = 20'-0"

GENERAL NOTES

- All new work to comply with applicable building codes, local ordinances and other controlling restrictions. This drawing is designed to comply with the 2015 edition of the Michigan Residential Code (MRC).
- Footings to be minimum 42" deep and bear on undisturbed soil regardless of elevations shown.
- Verify all dimensions, roof pitches, etc. If discrepancies arise, notify architect before continuing work.
- Finish grade all areas disturbed construction to levels compatible with adjacent topography. Grade so that water flows away from building and to established drainage course.
- Verify location of all utilities and protect during construction. Each individual sub-trade is responsible to verify size of existing utilities and upgrade if required. (Call Miss Dig). Each individual sub-trade is responsible for their own permits.
- Flood bearing points: Provide solid blocking to steel or foundation at all headers and beams. Double joist or ladder under all partitions.
- All structural steel to meet ASTM-B6.
- Framing lumber: Doug. Fir / Hem. Fir / Larch / S. Pine, # 2 or better; E-1,200,000 P.S.I.; Kiln-dried, maximum moisture content 19%. Flood construction shall be governed by the 3rd edition of the "ATC Timber Construction Manual, and the latest edition of the NDS National Design Specification for Wood Construction, as published by the American Forest and Paper Association.
- Laminated Veneer Lumber (LVL's): 6PLVL, Micro-Lam, Para-Lam or equal; 1B-200P.S.I.; FV-205P.S.I.; E-1,900,000P.S.I.; F0-1750P.S.I.; Installation and all connections per manufacturers instructions. (Do not drill any LVL's).
- Plywood: Shall bear the Engineered Wood Association (APA) trademark and conform to U.S. Product Standard PS-208 (APA) and PRP-108 for construction and industry plywood.
- Pre-Engineered Wood Trusses: Shall be engineered and fabricated by a licensed truss fabricator. Provide shop drawings for architect and builder review prior to fabrication.
- Flood Joists (if utilized): T.J., G.P. or equal. Install per manufacturer's written instructions, complete with all connections. Provide shop drawings for architect and builder review. Deflection = L/480.
- Joist Hangers: "Simpson Strong Ties". All connections per manufacturer's instructions. Provide hurricane ties at all rafters and trusses.
- Aluminum flashing and drip edge. Caulk all seams. Caulk at dissimilar material with permanent elastic caulk.
- Kitchen: See owner approved kitchen layout plan for appl., plumb and elec. location before rough.
- Windows: Window designations are frame size. Refer to window order/schedule. Provide complete with all hardware and screens. Verify selections with owner.
- Doors: Interior doors are 6 panel primed. Exterior doors are 6" tall. Verify selections with owner.
- Insulation: All insulation to meet the Michigan Uniform Energy Code (MEC). And comply with the 2015 Michigan Residential Code (MRC).
- H.V.A.C.: Design/build by HVAC Contractor. Extend existing system at first floor. New zoned system for new second floor. Upgrade existing system as required.
- Electrical: Design/build by electrical contractor. Upgrade existing system to accommodate new addition and existing structure as required. Verify fixture selections and locations with owner. Match switch plate and outlet covers.
- Smoke Detectors: Install per section R-314 of the 2015 Michigan Residential Code (MRC). Smoke Detectors Indicated on plan.
- Carbon monoxide Detectors: Install per section R-315 of the 2015 Michigan Residential Code (MRC).

PROPOSED ADDITIONS & ALTERATIONS FOR THE HOME OF:
JIM & LISA LOVE
 10245 LAKESIDE DRIVE, WHITE LAKE, MI 48386

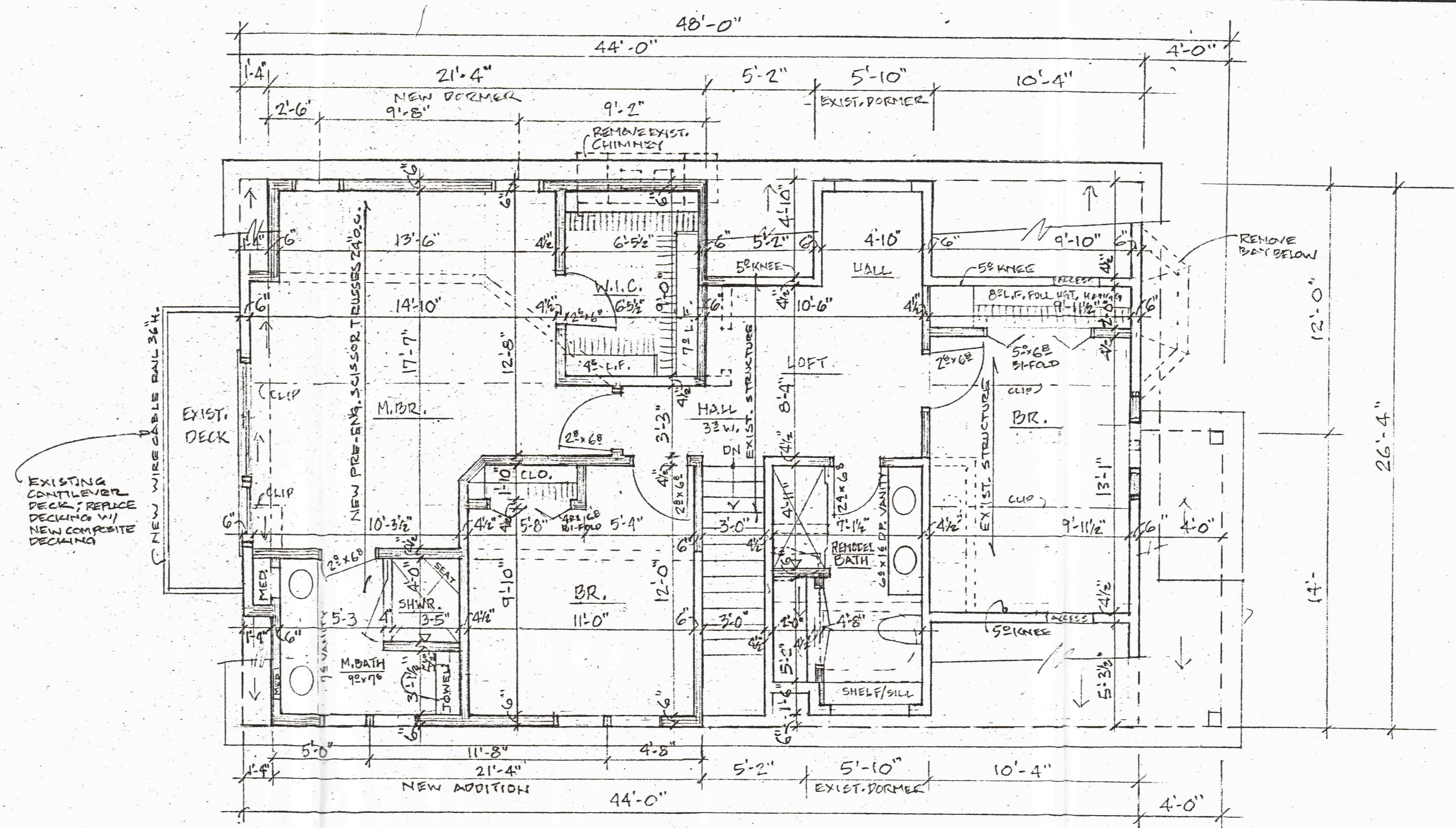
SCALE: 1/4" = 1'-0"
 FILE NAME: LOVE
 DRAWN BY: CAO
 JOB # W-2962
 SHEET TITLE
 • SITE PLAN
 • FOUNDATION PLAN
 • GENERAL NOTES
 SHEET # 1 OF 3
 W-2962

ISSUED FOR	DATE
OWNER REVIEW	3-19-22

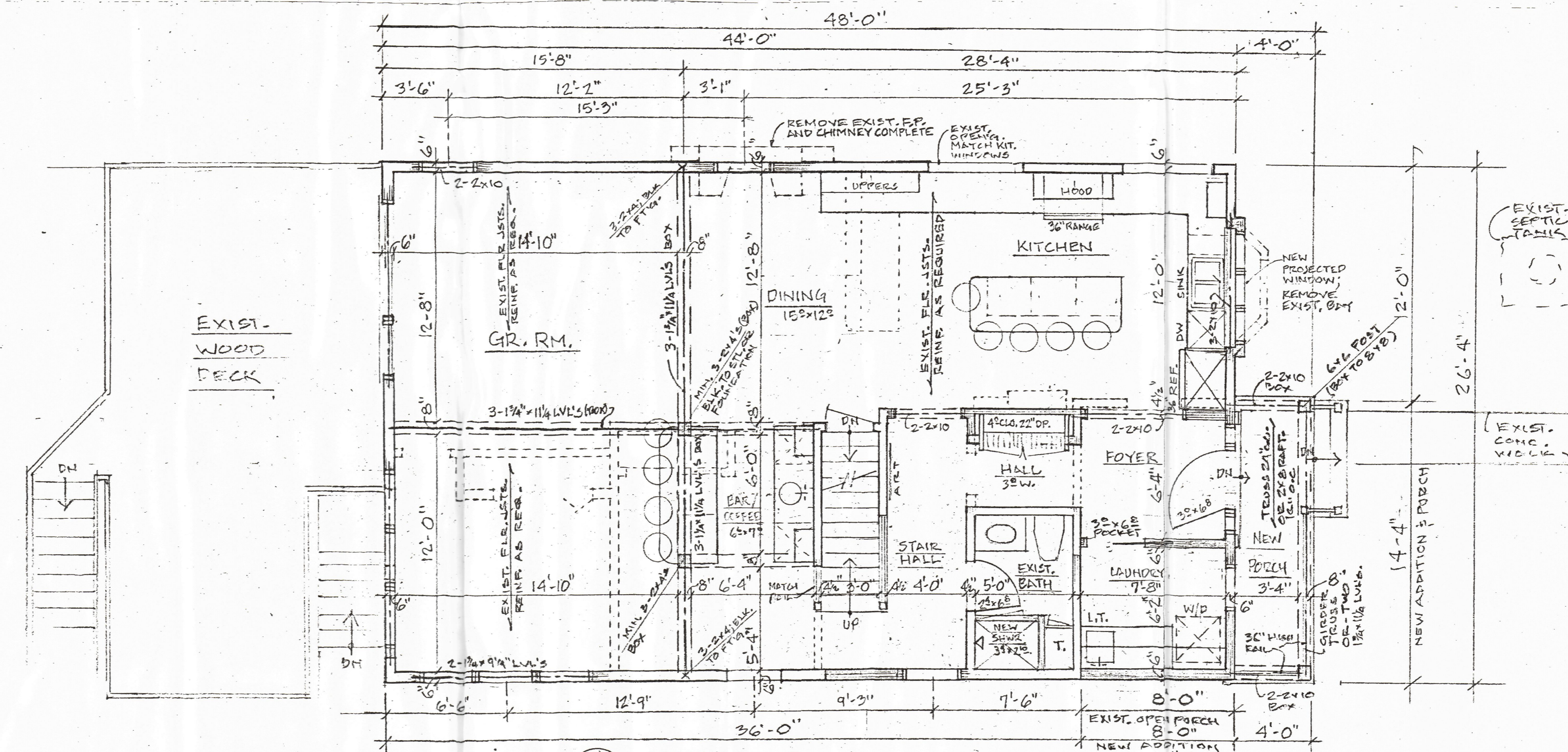
620 N. Milford Rd.
Milford, MI 48381
248-684-4649
Fax: 248-685-0179

M.J. WHELAN
CONSTRUCTION

www.mjwhelan.com



2ND FLOOR PLAN.
 605 SQ. FT. EXIST. 2ND FLOOR (ALL REMODELED)
 325 SQ. FT. NEW 2ND FLR. ADDITIONS
 990 SQ. FT. TOTAL 2ND FLOOR
 SCALE: 1/4" = 1'-0"



1ST FLOOR PLAN.
 1050 SQ. FT. EXIST. 1ST FLOOR (ALL REMODELED)
 120 SQ. FT. NEW 1ST FLR. ADDITION
 1155 SQ. FT. TOTAL 1ST FLOOR
 990 SQ. FT. TOTAL 2ND FLOOR
 2145 SQ. FT. TOTAL SQ. FT.
 SCALE: 1/4" = 1'-0"

PROPOSED ADDITIONS & ALTERATIONS FOR THE HOME OF:
JIM & LISA LOVE
 10245 LAKESIDE DRIVE, WHITE LAKE, MI 48386

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

FILE NAME: LOVE

DRAWN BY: CAO

JOB # W-2962

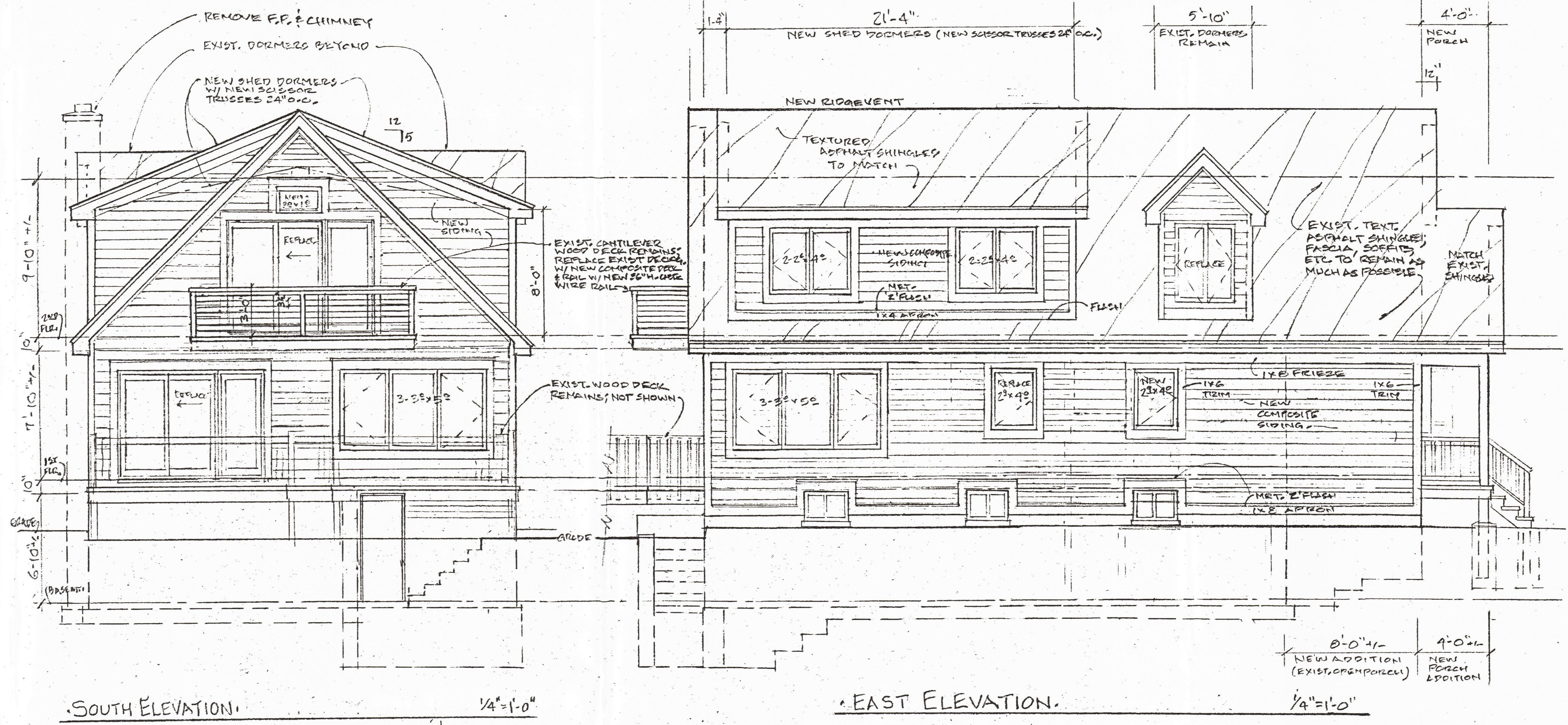
SHEET TITLE
 • 1ST FLOOR PLAN
 • 2ND FLOOR PLAN

SHEET # 2 OF 3
W-2962

ISSUED FOR	DATE
OWNER REVIEW	3-11-22

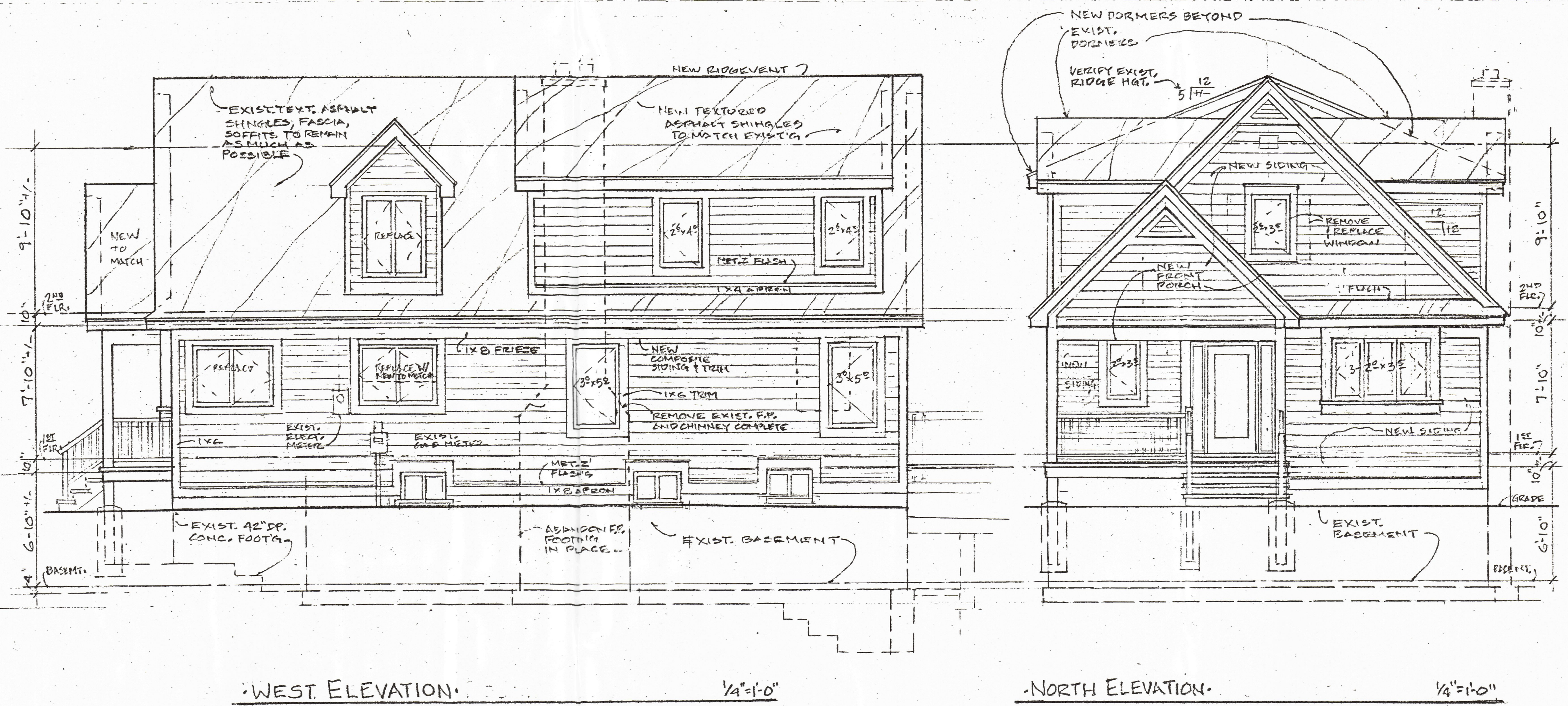
620 N. Milford Rd.
Milford, MI 48381
248-684-4649
www.mjwhelan.com Fax: 248-685-0179

M.J. WHELAN
CONSTRUCTION



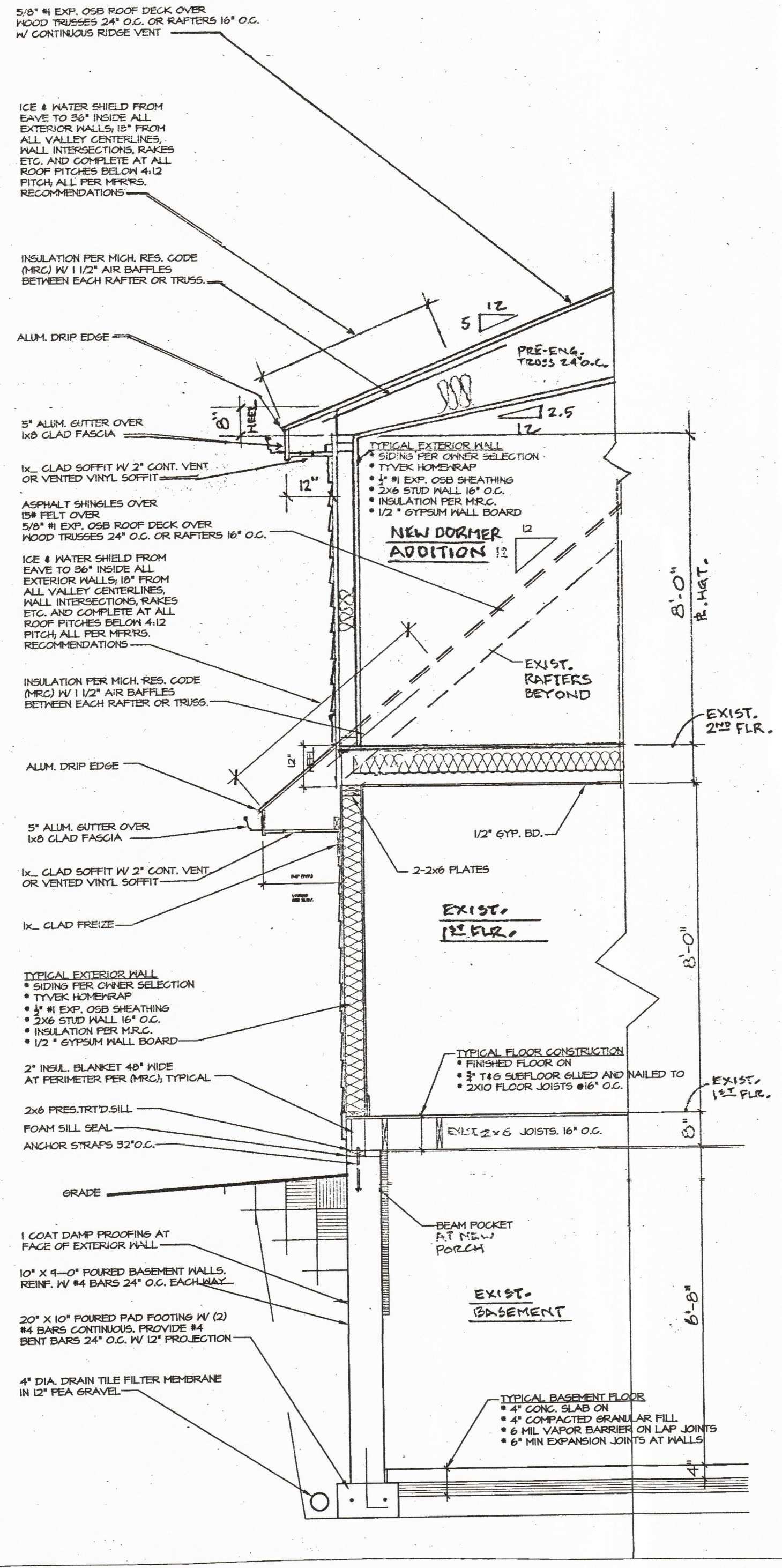
SOUTH ELEVATION 1/4"=1'-0"

EAST ELEVATION 1/4"=1'-0"



WEST ELEVATION 1/4"=1'-0"

NORTH ELEVATION 1/4"=1'-0"



1 TYPICAL WALL SECTION NO SCALE

PROPOSED ADDITIONS & ALTERATIONS FOR THE HOME OF:
JIM & LISA LOVE
10245 LAKESIDE DRIVE, WHITE LAKE, MI 48386

SCALE: 1/4"=1'-0"
FILE NAME: LOVE
DRAWN BY: CAO
JOB #: W-2962
SHEET TITLE: ELEVATIONS & TYPICAL WALL SECTION
SHEET # 3 OF 3
W-2962

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



Trustees
Scott Ruggles
Liz Fessler Smith
Andrea C. Voorheis
Michael Powell

WHITE LAKE TOWNSHIP

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

March 30, 2022

James and Lisa Love
7422 Autumn Hill Dr
West Bloomfield, MI 48323

RE: Proposed 2nd Story Addition at 10245 Lakeside

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

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

The existing structure and lot are legal non-conforming. The 10,890 sq ft lot contains a residential structure; having an approximate 8.7 ft side yard setback on the west side. The proposed second story addition would maintain the non-conforming side yard setback of approximately 8.7 ft.

Approval of the building permit would be subject to a variance to the schedule of regulations, Article 7 of the White Lake Township Clear Zoning Ordinance. To be eligible for the May 26th Zoning Board of Appeals (ZBA) meeting, application must be submitted to the White Lake Township Planning Department no later than April 28th at 4:30 PM. **A certified boundary and location survey will be required by the ZBA.** The Planning Department can be reached at (248)698-3300, ext. 5

Sincerely,

Nick Spencer, Building Official
White Lake Township

WHITE LAKE TOWNSHIP ZONING BOARD OF APPEALS

REPORT OF THE COMMUNITY DEVELOPMENT DEPARTMENT

TO: Zoning Board of Appeals
FROM: Justin Quagliata, Staff Planner
DATE: May 26, 2022

Agenda item: 7c

Appeal Date: May 26, 2022

Applicant: Juergen Drengk

Address: 26136 Keith Street
Dearborn Heights, MI 48127

Zoning: SF Suburban Farms

Location: 2940 Ripple Way
White Lake, MI 48383

Property Description

The approximately 2.79-acre parcel identified as 2940 Ripple Way is located on the west side of Ripple Way, south of Cornerstone Drive, and zoned SF (Suburban Farms). A single-family house is under construction on the property, which will utilize a private well for potable water and a private septic system for sanitation.

Applicant’s Proposal

Juergen Drengk, the applicant, is proposing to construct a 40-foot by 64-foot (2,560 square feet) accessory building (pole barn).

Planner’s Report

The zoning ordinance allows walls in an accessory building to be 14 feet in height; the proposed wall height is 16 feet. Total height of accessory buildings cannot exceed 18 feet at the mid-peak of the roof; the proposed building height is 19’-7^{3/16}”. Note the architectural plans do not scale to the building dimensions labeled.

The applicant will need to demonstrate a practical difficulty exists on the subject site, and unique circumstances exist that are peculiar to the land which are not applicable to other land in same zoning district or the vicinity. The reasons to support the variance requests contained in the applicant’s written statement are personal circumstances and cannot be considered by the Zoning Board of Appeals.

The requested variances are listed in the following table.

Variance #	Ordinance Section	Subject	Standard	Requested Variance	Result
1	Article 5.7.C	Wall Height	14 feet	2 feet	16 feet
2	Article 5.7.C	Building Height	18 feet (mid-peak)	1’-7 ^{3/16} ”	19’-7 ^{3/16} ”

Zoning Board of Appeals Options:

Approval: I move to approve the variances requested by Juergen Drengk from Article 5.7.C of the Zoning Ordinance for Parcel Number 12-31-401-004, identified as 2940 Ripple Way, in order to construct an accessory building (pole barn) that would exceed the allowed wall height by 2 feet and exceed the allowed building height by 1’-7^{3/16}”. This approval will have the following conditions:

- The Applicant shall obtain all necessary permits from the White Lake Township Building Department.
- Plans drawn to scale shall be submitted to meet requirements of the Building Official.

Denial: I move 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):

Table: I move to table the variance requests of Juergen Drengk for Parcel Number 12-31-401-004, identified as 2940 Ripple Way, to consider comments stated during this public hearing.

Attachments:

1. Variance application dated February 21, 2022.
2. Applicant's written statement received by the Township April 21, 2022.
3. Site plan prepared by Kieft Engineering dated October 21, 2021 (revision date April 1, 2022).
4. Architectural plans.
5. Letter of denial from the Building Official dated April 12, 2022.

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 C.

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

APPLICANT'S NAME: JUERGEN DRENGK PHONE: 734-516-8558
ADDRESS: 26136 KEITH ST, DEARBORN HTS, MI 48127
APPLICANT'S EMAIL ADDRESS: JDRENGK@GMAIL.COM
APPLICANT'S INTEREST IN PROPERTY: OWNER BUILDER OTHER: _____

ADDRESS OF AFFECTED PROPERTY: 2940 RIPPLE WAY PARCEL # 12-31-401-004
CURRENT ZONING: SF PARCEL SIZE: 2.78 ACRES

STATE REQUESTED VARIANCE AND ORDINANCE SECTION: SLIGHTLY TALLER
BUILDING ORDINANCE 5.I.C
VALUE OF IMPROVEMENT: \$ N/A SEV OF EXISITING STRUCTURE: \$ 57,000

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

APPLICATION FEE: \$385⁰⁰ (CALCULATED BY THE COMMUNITY DEVELOPMENT DEPARTMENT)
APPLICANT'S SIGNATURE: [Signature] DATE: 2/21/2022

RECEIVED

APR 21 2022

BUILDING DEPARTMENT

Request for Zoning Appeal for Ordinance 5.1.C

Requesting 16' wall height

Property Location: 2940 Ripple Way – Zoned SF

This is a new construction of a 40' x 64' Pole Barn. The location and size of this building meets/exceeds all of the set back and square footage requirements except for the height. The reason I am requesting a 16' wall in place of the 14' is to be able to use a 14' roll up door which requires a 16' ft ceiling height to be able to mount the door roller tracks. A 14' door is needed to be able to park my RV indoors which is just under 13' tall and 35' long. The roof pitch is 4/12 to help minimize height.

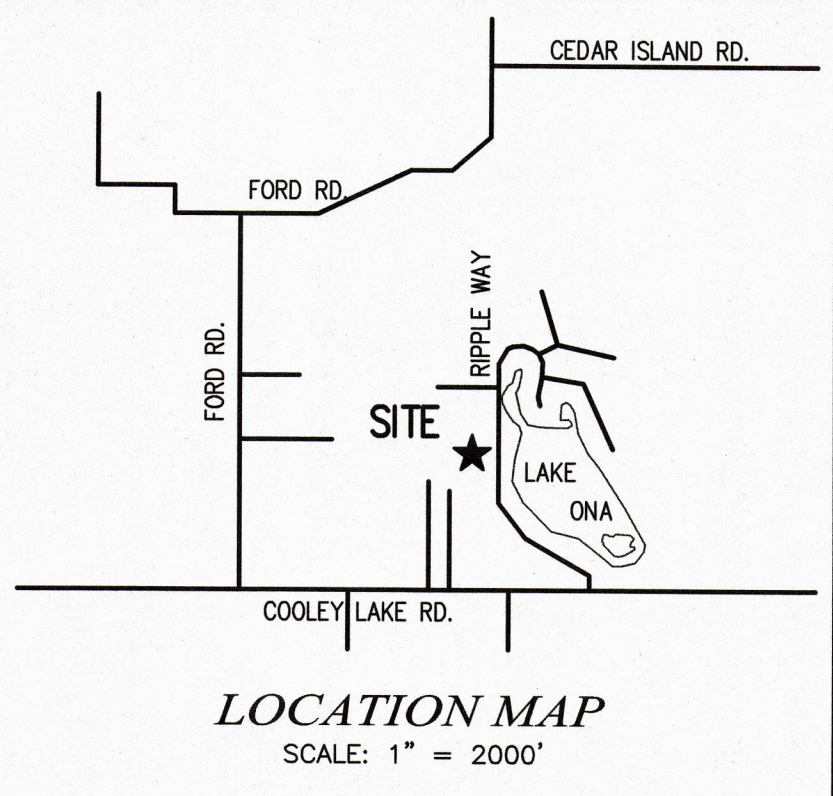
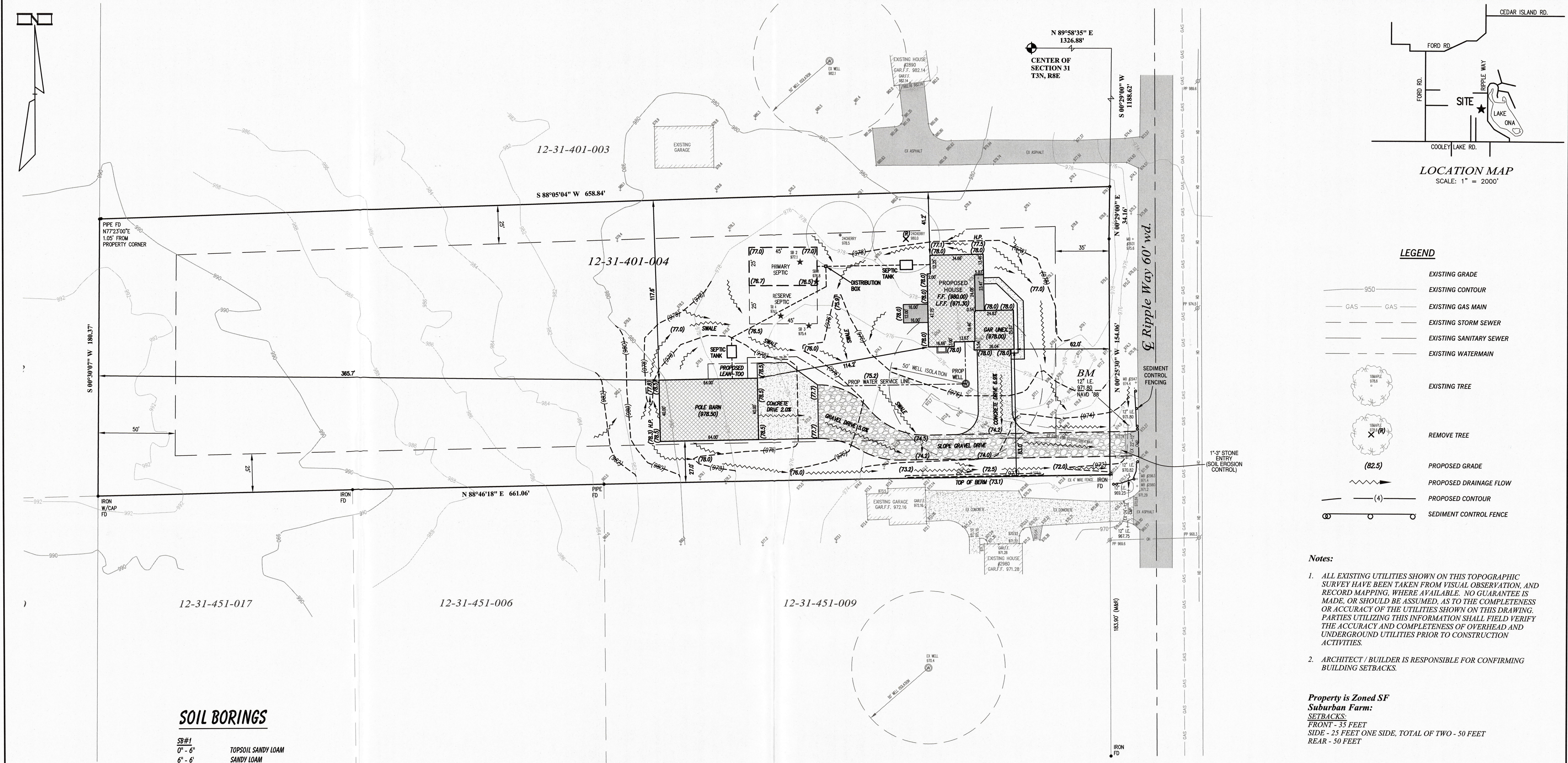
Other items to consider. My house is also being built that has a few feet higher elevation than the floor height of the pole barn to help balance out the difference. The house color scheme is red brick all around, light gray siding and dark gray roof shingles. I am utilizing the same color scheme with the pole barn where the lower wainscoting is dark red/maroon, light gray upper wall and dark gray roof to match the house as close as possible. Included is a color sketch to show my pole barn color plan as well as actual photos showing the difference in the pole barn floor level vs the house basement wall height top surface offset.

I hope to show that the final appearance of the taller pole barn will not have a negative impact with its appearance and my property will have a clean look with vehicles not being parked around it.

Juergen Drengk

26136 Keith St.

Dearborn Heights, MI 48127



- LEGEND**
- 950 — EXISTING GRADE
 - GAS — EXISTING GAS MAIN
 - - - EXISTING STORM SEWER
 - - - EXISTING SANITARY SEWER
 - - - EXISTING WATERMAIN
 - (Tree symbol) EXISTING TREE
 - (Tree symbol with X) REMOVE TREE
 - (82.5) PROPOSED GRADE
 - (Arrow) PROPOSED DRAINAGE FLOW
 - (4) PROPOSED CONTOUR
 - (Fence symbol) SEDIMENT CONTROL FENCE

- Notes:**
- ALL EXISTING UTILITIES SHOWN ON THIS TOPOGRAPHIC SURVEY HAVE BEEN TAKEN FROM VISUAL OBSERVATION, AND RECORD MAPPING, WHERE AVAILABLE. NO GUARANTEE IS MADE, OR SHOULD BE ASSUMED, AS TO THE COMPLETENESS OR ACCURACY OF THE UTILITIES SHOWN ON THIS DRAWING. PARTIES UTILIZING THIS INFORMATION SHALL FIELD VERIFY THE ACCURACY AND COMPLETENESS OF OVERHEAD AND UNDERGROUND UTILITIES PRIOR TO CONSTRUCTION ACTIVITIES.
 - ARCHITECT / BUILDER IS RESPONSIBLE FOR CONFIRMING BUILDING SETBACKS.

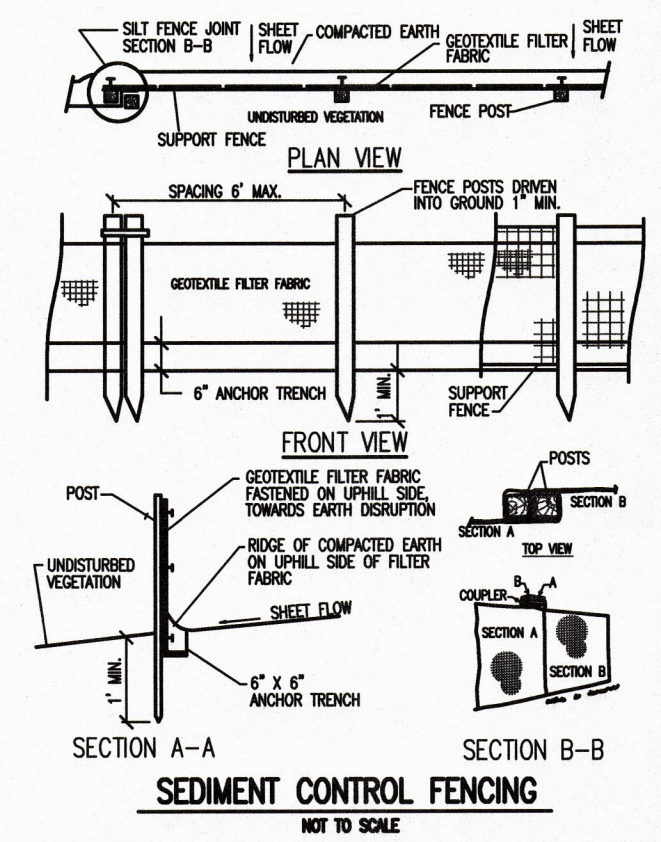
Property is Zoned SF Suburban Farm:
SETBACKS:
 FRONT - 35 FEET
 SIDE - 25 FEET ONE SIDE, TOTAL OF TWO - 50 FEET
 REAR - 50 FEET

BENCHMARK
 12" I.E. OF NORTH END OF CMP
 ELEVATION = 971.80 NAVD '88

BUILDING PERMIT FOR HOUSE
 P21-03018

SOIL BORINGS

- SB#1**
 0' - 6" TOPSOIL SANDY LOAM
 6' - 6" SANDY LOAM
 6' - 9" SAND (GRAVEL)
 NO HSWT OR GW OBSERVED
- SB#2**
 0' - 6" TOPSOIL LOAMY SAND
 6' - 7.5' SANDY LOAM
 7.5' - 9.5' SAND (GRAVEL)
 NO HSWT OR GW OBSERVED
- SB#3**
 0' - 6" TOPSOIL LOAMY SAND
 6' - 2.5' LOAMY SAND
 2.5' - 4' SANDY LOAM
 4' - 8.5' SAND (COURSE)
 NO HSWT OR GW OBSERVED
- SB#4**
 0' - 12" TOPSOIL LOAMY SAND
 12' - 6.5' LOAMY SAND
 6.5' - 8.5' SAND (GRAVEL)
 NO HSWT OR GW OBSERVED

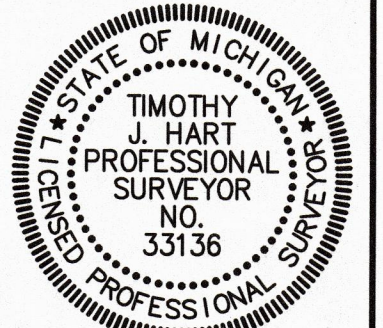


START DAY	END DAY	SOIL EROSION CONTROL SEQUENCE OF CONSTRUCTION
1	2	INSTALL SILT FENCE AS SHOWN ON THIS PLAN
3	10	CLEAR AND ROUGH GRADE SITE.
10	25	EXCAVATE FOR BASEMENT, INSTALL FOOTINGS AND INSTALL BASEMENT WALLS.
25	45	INSTALL SANITARY SEWER LEAD SUMP DISCHARGE LEAD, STORM SEWER AND WATER SERVICE. BACKFILL BASEMENT.
46	180	INSTALL ALL PUBLIC UTILITIES (GAS, ELECTRIC, TELEPHONE, AND CABLE TV).
180	180	COMPLETE BUILDING CONSTRUCTION.
130	135	FINISH GRADE AND PAVE DRIVE.
135	180	ESTABLISH VEGETATION ON ALL DISTURBED GROUND AREAS WITH TOPSOIL AND SEED OR SOO. REMOVE ALL SOIL EROSION CONTROL DEVICES.

- NOTES:**
- THE SOIL EROSION CONTROLS WILL BE MAINTAINED WEEKLY AND AFTER EVERY STORM EVENT, BY THE BUILDER.
 - SITE WILL BE RESTORED WITH SEED AND MULCH.

This is to certify that *Timothy J. Hart*, a Professional Land Surveyor, have this date made a survey of a parcel of land described as follows:

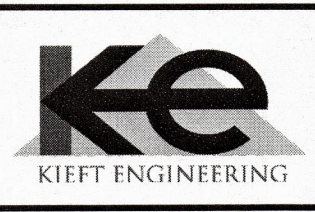
PARCEL 12-31-401-004
 PART OF SE 1/4 OF SECTION 31, T3N, R8E, WHITE LAKE TOWNSHIP, OAKLAND COUNTY, MICHIGAN. DESCRIBED AS BEGINNING AT A POINT LOCATED N 89°58'35" E 1326.88 FT & S 00°29'00" W 1188.62 FT FROM THE CENTER OF SAID SECTION 31, T3N, R8E; TH S 88°05'04" W 658.84 FT; TH S 00°30'07" W 180.37 FT; TH N 88°46'18" E 661.06 FT; TH N 00°25'30" W 154.06 FT; TH N 00°29'00" E 34.16 FT TO THE POINT OF BEGINNING. CONTAINING 2.79 ACRES. SUBJECT TO EASEMENTS & RESTRICTIONS OF RECORD, IF ANY.



DATE	ISSUE
10-25-2021	REV. HOUSE LOCATION PER CLIENT
10-27-2021	REV. HOUSE LOCATION PER CLIENT
3-23-2022	REV. POLE BARN PER CLIENT
4-1-2022	REV. SEPTIC PER CLIENT

PROPRIETOR:
 JUERGEN DRENGK
 26136 KEITH ST.
 DEARBORN HEIGHTS, MI 48127
 (734) 516-8558

THIS DRAWING IS THE PROPERTY OF KIEFT ENGINEERING, INC. AND MAY NOT BE USED, REPRODUCED OR PUBLISHED, IN PART OR IN WHOLE, WITHOUT EXPRESSED WRITTEN PERMISSION FROM KIEFT ENGINEERING, INC.



KIEFT ENGINEERING, INC.
 PROFESSIONAL ENGINEERS AND PROFESSIONAL SURVEYORS
 5852 SOUTH MAIN STREET, SUITE 1, CLARKSTON, MICHIGAN 48346
 PHONE (248) 625-5251 www.kiefteng.com FAX (248) 625-7110

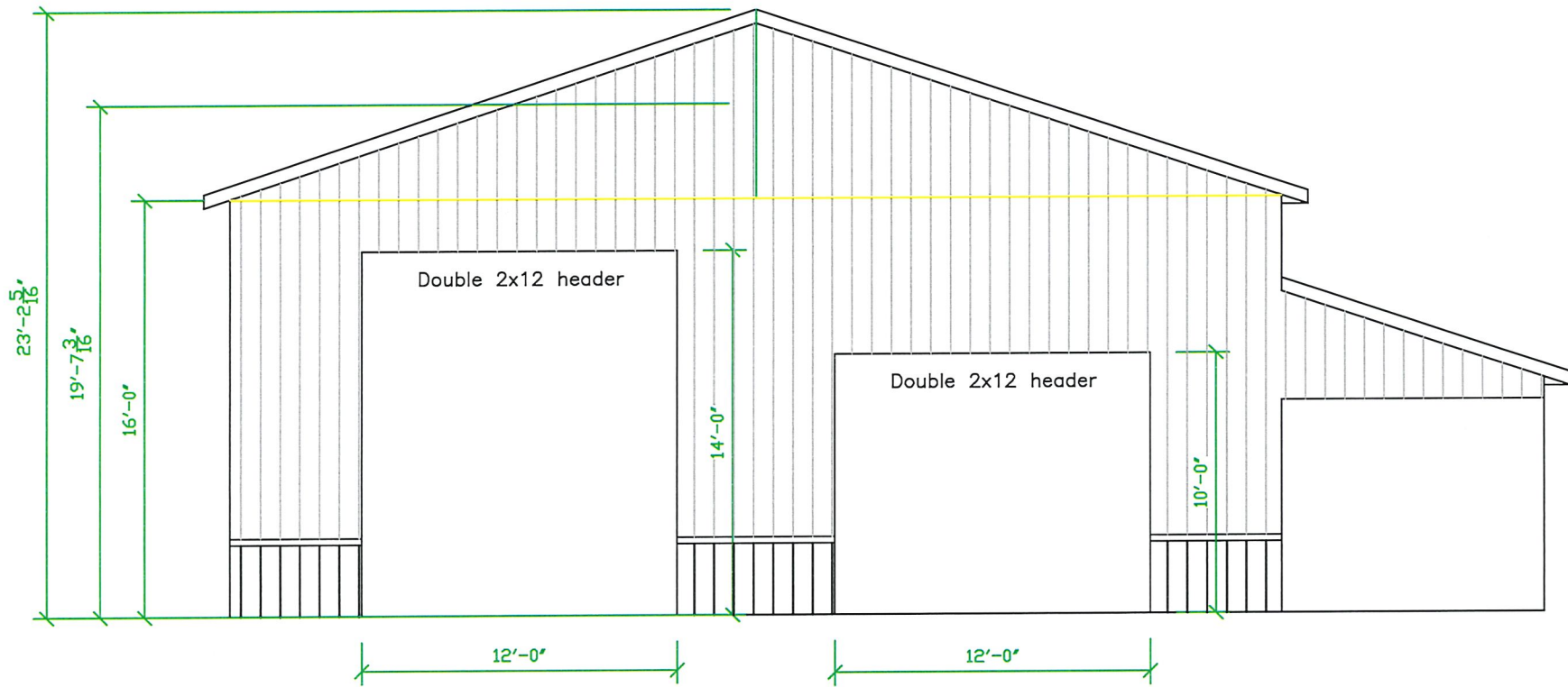
DATE	CKD. BY	DATE
10-21-2021	JM	
10-21-2021	TJH	

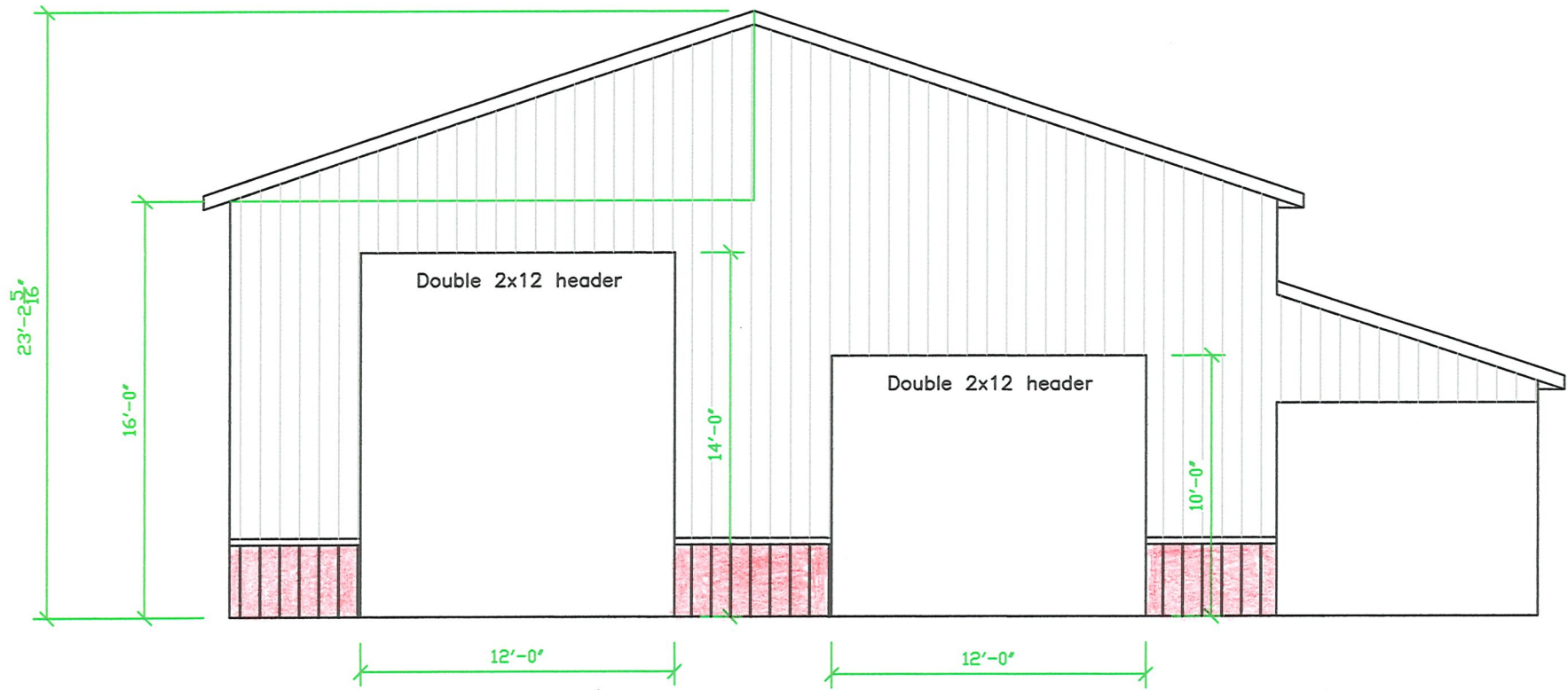
SECTION 31 T-3 -N- R- 8 -E-

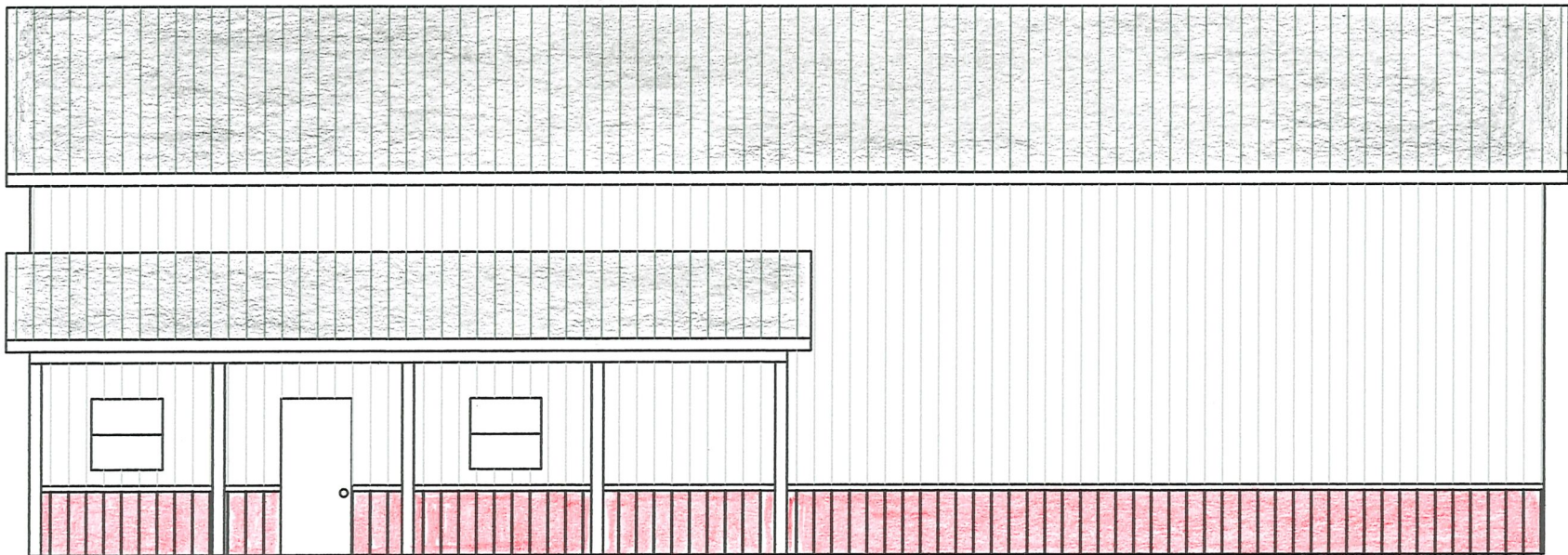


SITE PLAN
 PARCEL NO. 12-31-401-004
 WHITE LAKE TOWNSHIP, OAKLAND COUNTY, MICHIGAN

SCALE	1" = 30'
SHEET	1 OF 1
NO.	KE 2021.339







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



Trustees
Scott Ruggles
Liz Fessler Smith
Andrea C. Voorheis
Michael Powell

WHITE LAKE TOWNSHIP

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

April 12, 2022

Juergen Drengk
26136 Keith St
Dearborn Heights, MI 48127

RE: Proposed Accessory Structure at 2940 Ripple Way

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

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

The Front Elevation indicates the proposed height of the roofline to be approximately 20 ft and the wall height to be 16 ft.

Approval of the building permit would be subject to a variance to the schedule of regulations, Article 7 of the White Lake Township Clear Zoning Ordinance. To be eligible for the May 26th Zoning Board of Appeals (ZBA) meeting, application must be submitted to the White Lake Township Planning Department no later than April 28th at 4:30 PM. The Planning Department can be reached at (248)698-3300, ext. 5

Sincerely,

Nick Spencer, Building Official
White Lake Township

Item C.



HOUSE LEVEL HIGHER THAN POLE BARN FLOOR

Item C.

