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## WHITE LAKE TOWNSHIP

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### WHITE LAKE TOWNSHIP ZONING BOARD OF APPEALS

November 30, 2017  
White Lake Township  
7525 Highland Road  
White Lake, MI 48383

Ms. Spencer called the regular meeting of the White Lake Township Zoning Board of Appeals to order at 7:00 p.m. and led the Pledge of Allegiance. Roll was called: Mr. Powell was excused.

ROLL CALL: Debbie Dehart – Planning Commission Liaison  
Mike Powell – Board Liaison - Excused  
Nik Schillack  
Cliff Seiber - Alternate  
Josephine Spencer – Vice Chairperson  
Alison Swanson - Alternate  
Dave Walz - Secretary

Also Present: Jason Iacoangeli, AICP, Staff Planner  
Lynn Hinton, Recording Secretary

Visitors: 3

#### Approval of Agenda:

Mr. Walz moved to approve the agenda as presented. Ms. Swanson supported and the MOTION CARRIED with a voice vote. (5 yes votes)

#### Approval of Minutes:

- a. Zoning Board of Appeals Meeting of August 24, 2017

Mr. Walz moved to approve the minutes of August 24, 2017 as submitted. Mr. Schillack supported and the MOTION CARRIED with a voice vote: (5 yes votes)

#### New Business:

- a. **File 17-019**  
Applicant: Charles Kirby  
760 Augusta Ct.  
Rochester, MI 48309  
Location: 2497 Blair St., White Lake, MI 48386, identified as 12-14-227-006.  
Request: Variance to Article 3.1.6 R1-D Single Family Residential for side yard and front yard setbacks, lot width and lot size.

Ms. Spencer noted for the record that 31 property owners within 300 ft. were notified of the request. No letters were received in favor, no letters were received in opposition, and no letters were returned undeliverable by the U.S. Postal Service.

Mr. Iacoangeli reviewed his report dated November 20, 2017. This is a single family residential home zoned R1-D. The property is part of the Supervisor Plat. No. 3 located on Pontiac Lake. The home uses a public sanitary sewer for sanitation and a private well for water. The applicant is requesting variances in order to construct a new 528 sq. ft. (24 ft. x 22 ft.) attached garage. The garage will be located 20.2 ft. from the traveled portion of Blair at its closest point. The attached garage will require a front yard setback variance in the amount of 10 ft. The R1-D District requires a minimum of 30 ft. front yard setback. The new attached garage will also require two side yard setback variances on both the north and south sides. The north setback is 6.9 ft. from the property line and will require a variance of 3.1 ft. The required minimum side yard should be 10 ft. The garage is located 6.4 ft. from the property line and will require a variance to the south setback of 3.6 ft. The property is also deficient in lot size. The lot is 8,346 sq. ft. of the required 12,000 sq. ft. for the district. Also, the lot is deficient in lot width, being only 35 ft. of the required 80 ft. for the district.

Mr. Walz asked what the square footage of the house was without the garage, and Mr. Kirby responded that the house is 550 sq. ft.

Mr. Kirby (representing Mr. and Mrs. Hayward) continued by indicating that this is a 35 ft. wide lot on Pontiac Lake. This is 2 bedroom ranch home with a partial crawl space that was built on the peninsula in 1939-1940. They are proposing a garage addition, 22 ft. x 24 ft., with additional storage above as a bonus room. The garage will attach directly to the house and extend 22 ft. The home itself in the front elevation is 20 ft. wide, so the 24 ft. garage does come out 4 ft. and completes the 24 ft. x 22 ft. rectangle. It was proposed to have a space in front of the garage to allow for visiting cars. The closest points on the two side yard setbacks are just over 6 ft. and there is just over 8 ft. distance between the neighbors on each side. The practical difficulties they have are that the home is very small at 550 sq. ft., and the house is non-compliant to the existing ordinance. They believe their request is a lesser relaxation than other properties in the area. They are requesting to just reasonably build a garage. They also feel the problem is not self-created and is a result of when it was platted as a summer cottage on the lake.

Mr. Walz asked where the applicants are parking now. Mr. Kirby responded that they are currently parking where they are proposing to put the garage. There is a large maple tree in the footprint of the garage. The closest point of the garage to the road would be 20.4 ft.

Ms. Dehart asked if they would have to take the maple tree down. Mr. Kirby confirmed that they would. There are large sprawling branches that could cause potential damage to their home and the neighbors. They are leaving other giant trees on the front of the lot.

Mr. Schillack feels the room above the garage makes total sense, and questioned if there were ingress/egress requirements if used for a bedroom. Mr. Iacoangeli stated that would have to be under the building code and they would have to comply with county standards and permits. He added that the ordinance does not allow living spaces in accessory structures and garages cannot have rooms above, unless it is part of the house. Mr. Schillack indicated he was concerned more from a safety standpoint with exhaust from cars.

Ms. Spencer opened the public hearing at 7:20 p.m. With no comments the public hearing was closed at 7:20 p.m.

Mr. Walz feels this makes sense and there is a practical difficulty and a need for a garage.

**Mr. Walz moved in File 17-019 to approve the variances requested from Article 3.1.6 by Charles Kirby for the property at 2497 Blair, parcel 12-14-227-006 in order to construct a**

**garage addition. The variances requested are as follows: (1) a 10 ft. Front Yard setback from the required 30 ft. for an end result of 20 ft.; (2) a 3.1 ft. North Side Yard variance for an end result of 6.9 ft.; (3) a 3.6 ft. South Side Yard setback for an end result of 6.4 ft.; (4) a 45 ft. variance to Required Lot Width for an end result of 35 ft.; (5) a 3,584 sq. ft. variance to Minimum Lot Size for an end result of 8,416 sq. ft., conditioned upon the applicant pulling all necessary permits with the White Lake Township Building Department; and soil erosion and sedimentation control will be maintained at all times to the county standard if required. Mr. Schillack supported and the MOTION CARRIED with a roll call vote: Walz – yes (for reasons stated and there is a practical hardship for lot configuration and the absence of a garage); Spencer – yes (this is a non-conforming lot, the requests are minimal, and this is an improvement to the property); Schillack – yes (for reasons stated and it will add value to the neighborhood); Dehart – yes (this will improve the property and the neighborhood); Swanson – yes (for reasons stated and this will increase property value and improve the home). (5 yes votes)**

**Liaison Report:**

No Liaison reports were given this evening.

**Other Business:**

- a. Approval of 2018 Meeting Dates

**Mr. Walz moved to approve the 2018 Meeting Dates as presented. Ms. Dehart supported and the MOTION CARRIED with a voice vote. (5 yes votes)**

**Next Meeting Date:**

- b. Regular Meeting – January 25, 2018 (Ms. Spencer cannot attend)

**Adjournment:**

**The meeting was adjourned at 7:22 p.m.**