

Gregory R. Baroni, Supervisor  
Terry Lilley, Clerk  
Mike Roman, Treasurer



Trustees  
Scott Ruggles  
Andrea C. Voorheis  
Rik Kowall  
Michael Powell

## WHITE LAKE TOWNSHIP

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

### WHITE LAKE TOWNSHIP ZONING BOARD OF APPEALS

**January 28, 2016 at 7:00 p.m.**

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. Ruggles and Mr. Erlich were excused.

ROLL CALL: Joseph Erlich - Excused  
Gail Novak-Phelps  
Scott Ruggles – Board Liaison - Excused  
Nik Schillack - Alternate  
Josephine Spencer - Chairperson  
Dave Walz

Also Present: Sean O'Neil, AICP, Community Development Director  
Lynn Hinton, Recording Secretary

Visitors: 3

#### Approval of Agenda:

**Ms. Novak-Phelps moved to approve the agenda as presented. Mr. Walz supported and the MOTION CARRIED with a voice vote. (4 yes votes)**

#### Approval of Minutes:

- a. Minutes of regular meeting of December 10, 2015

**Mr. Walz moved to approve the minutes of December 10, 2015 as presented. Ms. Novak-Phelps supported and the MOTION CARRIED with a voice vote. (4 yes votes)**

#### New Business:

a.	<b>File 16-001</b>
Applicant:	Robert Knisley 2339 Kingston White Lake, MI 48386
Location:	2326 Kingston, White Lake, MI 48386, identified as 12-14-233-003.
Request:	Variance to Article 3.1.6 R1-D Single Family Residential for rear and front yard setbacks, lot size, lot coverage, lot width, and to Article 3.11.Q Note to district standards for natural features

setback, and to Article 7.25 for class A and class B nonconforming uses.

Ms. Spencer noted for the record that 27 property owners within 300 ft. were notified of the request. No letters were received in favor, no letters were received in opposition, and 3 letters were returned undeliverable by the U.S. Postal Service.

Mr. O'Neil reviewed the staff report dated January 20, 2016. This is a single family residential home zoned R1-D. The property is part of the English Villas neighborhood, located on Pontiac Lake. The home uses the public sewer system and a private well for water.

The applicant is proposing to construct a 900 sq. ft. second story addition on to the existing home. Also, the applicant will be enclosing an existing (6 x 10), 60 sq. ft. covered porch on the front of the home.

The new 2<sup>nd</sup> floor addition will cantilever over the existing 1<sup>st</sup> floor, extending 9 ft. out into the rear yard. Because this addition will require footings, it is treated as if it extends to the ground, or finished grade of the home. The new 2<sup>nd</sup> story addition will also be located within 21 ft. of Pontiac Lake, which will require a 4 ft. natural features setback variance. The existing covered porch on the front of the home will be enclosed and will require a front yard setback variance of 20 ft. It should be noted that this porch is existing and will not extend any closer to the road than already exists. The lot that the home sits on is extremely deficient for the district, with 3,618 sq. ft. of the required 12,000 sq. ft. minimum. The lot is 50 ft. in width of the required 80 ft. This building project is over the allowable 50% SEV of the home for legal non-conforming structures. This provision of the ordinance addresses the perpetuation of non-conforming uses by not allowing maintenance and improvements to exceed 50% of the SEV of the home in a calendar year.

Mr. Knisley addressed the board. He stated the existing house small for 3 people to live in. They would like to add a 2<sup>nd</sup> level with 2 bedrooms and 2 bathrooms. He noted they would be extending out 5 ft. and staying 25 ft. wide. He added that he needs the 5 ft., but if it can't go that way, he would look for a recommendation from the board on what else he could do.

Mr. Schillack noted Mr. Knisley has requested 5 ft. rather than the advertised 9 ft., and questioned how this would affect total lot coverage. Mr. O'Neil reviewed the requested variances and felt either way, the end result would be 21 ft. from the permitted 30 ft. for the rear yard setback. Dimensions were recalculated and it was determined to change "Variance 4" from 20.3% to 23.4%, changing the total amount requested from .3% to 3.4%.

Mr. Walz noted that the existing drive is not changing, and as far as parking goes, he questioned whether the intent was to park in the driveway. Mr. Knisley stated he only has 2 vehicles, and they would fit in the driveway.

Ms. Spencer opened the discussion for public comment at 7:25 p.m.

Scott McCleary, 2349 Kingston, stated this is a small house with a small lot. He has also talked with Mr. Knisley about parking, but this is the nature of the cul-de-sac. Houses in the area are cottage-based and there is limited opportunity to improve some of them. He built new and feels Mr. Knisley's proposal would be a significant improvement to the area.

With no other comments, Ms. Spencer closed the public hearing at 7:26 p.m.

Mr. O'Neil noted for the record that the current house is 27 ft. x 25 ft. and the requirement standard under the ordinance for a new build is 1,000 sq. ft. for a ranch and 750 sq. ft. for a 2<sup>nd</sup> story. This home is currently non-conforming and adding the 2<sup>nd</sup> story would still make it 75 sq. ft. shy of the standard, or 675 sq. ft.

Mr. Walz moved in File 16-001 to approve the variances requested by Mr. Robert E. Kinsey for the property at 2326 Kingston, parcel 12-14-232-009 in order to construct an enclosed front porch and second story home addition. The variances requested are as follows: (1) a 20 ft. variance to the front yard setback from the permitted 30 ft. for an end result of 10 ft.; (2) a 9 ft. variance to the rear yard setback from the permitted 30 ft. for an end result of 21 ft.; (3) a 4 ft. setback variance from the natural features setback for end result of 21 ft.; (4) a 4.3% variance to maximum lot coverage for end result of 23.4%; (5) an 8,382 sq. ft. variance to minimum lot size for an end result of 3,618 sq. ft.; (6) a 30 ft. variance to required lot width for end result of 50 ft. This approval will have the following conditions: The applicant will obtain all necessary building and/or trade permits necessary to complete the project with the White Lake Building Department, and that gutters and downspouts will be added. Ms. Novak-Phelps supported and the MOTION CARRIED with a roll call vote: Spencer – yes (the requested variances do seem to be excessive and make the existing home on a non-existing lot more conforming. Also, the existing front porch will be enclosed and the cantilever area off the rear is a 5 ft. addition to the setback variance and is minimal at best); Novak-Phelps – yes (this is non-conforming now and will be a great improvement to existing property and will also be consistent with other structures in the neighborhood); Walz – yes (for the reasons stated and he also feels this is an improvement to the area and the visual appeal to the immediate vicinity); Schillack, - yes (even though many variances are being granted, this brings the home into more conformity with the neighborhood and it is also aesthetically pleasing). (4 yes votes)

**Other Business:**

- a. Election of Officers

Ms. Novak-Phelps moved nominate and elect Joe Erlich as Chairperson, Josephine Spencer as Vice Chairperson, and Dave Walz as Secretary. Mr. Schillack supported and the MOTION CARRIED with a unanimous voice vote. (4 yes votes)

**Next Meeting Date:**

- a. Regular Meeting – February 24, 2016

It was noted that there may be a conflict with the March 24, 2016 meeting, a quorum may not be present.

**Adjournment:**

Ms. Novak-Phelps moved to adjourn the meeting at 7:40 p.m. Mr. Walz supported and the MOTION CARRIED with a voice vote. (4 yes votes)