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WHITE LAKE TOWNSHIP

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WHITE LAKE TOWNSHIP ZONING BOARD OF APPEALS

August 27, 2015 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: All members were present.

ROLL CALL: Robert Artinian – Vice Chairperson
Joseph Erlich – Secretary
Gail Novak-Phelps
Scott Ruggles – Board Liaison
Nik Schlack - Alternate
Josephine Spencer - Chairperson
Dave Walz - Alternate

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

Visitors: 3

Approval of Agenda:

Ms. Novak-Phelps moved to approve the agenda as presented. Mr. Ruggles supported and the MOTION CARRIED with a voice vote. (5 yes votes)

Approval of Minutes:

- a. Minutes of regular meeting of July 23, 2015

Mr. Artinian moved to approve the minutes of July 23, 2015 as presented. Ms. Novak-Phelps supported and the MOTION CARRIED with a voice vote. (5 yes votes)

New Business:

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| a. | File 15-020 |
| Applicant: | Michael Slay 2370 E. Rose Center Highland, MI 48356 |
| Location: | 1450 Morgan, White Lake, MI 48386 |
| Request: | Variance to Article 3.1.2 SF Suburban Farms for rear yard setback and lot size. |

Ms. Spencer noted for the record that 13 property owners within 300 ft. were notified of the request. No letters were received in favor, one letter was received in opposition, and no letters were returned undeliverable by the U.S. Postal Service.

Mr. Iacoangeli reviewed his report dated August 19, 2015. This is a single-family residential home zoned (SF) Suburban Farms. The property is part of the Cedar Creek West neighborhood. The home uses a private septic system and private well. The applicant is proposing to construct a 24 ft. x 30 ft. garage addition to the rear of the home. The garage addition on the rear of the home will require a 24 ft. rear yard setback variance for an end result of 26 ft. The required rear yard setback in SF is 50 ft. The lot is also deficient in size for the district at 1.2 acres. The minimum for SF is 2 acres.

Michael Slay (builder for the project), 2370 E. Rose Center, Highland, MI 48356, and Stanley Coutere (homeowner) were present to address the board.

Mr. Slay stated the house is currently built on the setback. Mr. Coutere has equipment in the existing garage that is taking up space and he is having a hard time housing his vehicles, especially in the winter. They are seeking a variance of 24 ft. to where the house sits back on the property line.

Mr. Ruggles asked why the proposed garage is being proposed in this location. Mr. Slay stated the driveway would go straight into the garage, and the positioning is also for aesthetic reasons. They are intersecting 4 ft. to get a pass through door from one building to another.

Ms. Novak-Phelps asked why they couldn't move the proposed garage to be parallel to the existing garage. Mr. Coutere indicated that there is nothing back there and they could reverse it, but they would still ask for the same variance. It doesn't matter to him other than it would cost more money with more driveway to put in. He is a disabled veteran, he has 3 cars, plus 1 car of his sons, and doesn't have anywhere else to put them. He houses a trailer in the back of the lot, which is not acceptable to the HOA. He is in bad health and this is creating a hardship for him.

Mr. Artinian stated the ZBA has to look at practical difficulty and the hardship has to be driven by the property. He stated this proposed garage can be moved and there is a legal alternative. He doesn't think a variance should be granted.

Ms. Spencer opened the public hearing at 7:10 p.m. No comments were offered and the public hearing was closed at 7:11 p.m.

Ms. Spencer read into record a letter dated August 24, 2015 received from Kathy McKay, 7100 Cedar Creek Drive, White Lake, MI 48383. Ms. McKay noted in her letter that she also sent a letter to the members of the Cedar Creek West Homeowners Association Architectural Committee. She is concerned that the ZBA would be setting a precedent in their community. The association requires that 2 or 3 car garages be attached to the main structure and she does not believe this request complies with the intent of the by-law.

Mr. Coutere responded that Ms. McKay is across the pond and can't see his house. His intentions are to get the stuff out of his driveway.

Ms. Spencer noted that there is a Homeowner's Association, but it was not indicated on the application.

Mr. Iacoangeli stated that he received correspondence from the Homeowner's Association. He asked Mr. Coutere whether he has approached them and if his proposal was approved by the Architectural Review Board. Mr. Coutere stated he called them and has not heard anything back yet.

Mr. Iacoangeli suggested that the ZBA table this case until a formal approval is received from Homeowner's Association. The by-laws state they have to be side-entry garages. Once Mr. Coutere receives approval, this case can be removed from the table and action can be taken.

Mr. Artinian moved to table File 15-020 until such time the applicant can address this with his Homeowner's Association. Mr. Erlich supported and the MOTION CARRIED with a voice vote. (5 yes votes)

Next Meeting Date:

- a. Regular Meeting – September 24, 2015

Adjournment:

The meeting was adjourned at 7:17 p.m.