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WHITE LAKE TOWNSHIP

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WHITE LAKE TOWNSHIP ZONING BOARD OF APPEALS

September 25, 2014 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: Ms. Novak-Phelps and Mr. Artinian were excused.

ROLL CALL: Robert Artinian – Vice Chairperson - Excused
Joseph Erlich – Secretary
Mark Fine – Alternate
Gail Novak-Phelps - Excused
Scott Ruggles – Board Liaison
Josephine Spencer - Chairperson

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

Visitors: 18

Approval of Agenda:

Mr. Ruggles moved to approve the agenda as presented. Mr. Fine supported and the MOTION CARRIED with a voice vote. (4 yes votes)

Approval of Minutes:

- a. Minutes of regular meeting of August 28, 2014

Mr. Ruggles moved to approve the minutes of August 28, 2014 as presented. Mr. Fine supported and the MOTION CARRIED with a voice vote. (4 yes votes)

New Business:

File 14-013
Applicant: Richard Walklet
10835 Oxbow Lake Shore Dr.
White Lake, MI 48386
Location: 10835 Oxbow Lake Shore Dr., White Lake, MI 48386
Request: Variance to Article 3.1.5 R1-C Single Family Residential for front and rear yard setbacks.

Ms. Spencer noted for the record that 42 property owners within 300 ft. were notified of the request. There were no letters received in favor or opposition, and 2 letters were returned undeliverable by the US Postal Service.

Mr. Iacoangeli reviewed his report dated September 15, 2014. This is a single family residential home zoned (R1-C) and is part of the Oxbow Lake Heights neighborhood. The home uses a private well and septic system.

The applicant is proposing to build a 28 ft. x 38 ft. (or 1,064 sq. ft.) pole barn/garage structure. The new pole barn/garage being added will require a 17 ft. front yard setback variance and an additional 11 ft. rear yard setback. The applicant's lot is oddly shaped and narrow in the front yard near Oxbow Lakeshore Drive. The location of the pole barn/garage may be subject to the location of the septic system. Legal alternatives to the proposed location that might not require variances might be possible on the property. Mr. Iacoangeli noted that since he published his report, he clarified with the Oakland County Health Department that the septic systems resides in the front of the house in the cleared area and there appears to be no other alternative for placement of this structure.

Mr. Walklet stated when looking at his property, he determined this was the best location to construct the barn. This will be a formal structure with vinyl siding to match his house and it will have a gable roof and a window. He feels this will add to property values. He added that the tree line is on his property he would like to keep it to shield the structure from the neighbors. The access would come up Oxbow Lakeshore Drive.

Mr. Erlich noted that the property is at the end of the cul-de-sac and Mr. Fine asked whether he would access from this area. Mr. Walklet confirmed that there would be a straight drive from the cul-de-sac into the barn/garage.

Ms. Spencer opened the public hearing at 7:07 p.m.

Henry Storm, 10087 Lakeside Drive, supports the project. He noted that the board has in the past granted these types of variances because they also enhance the area. Parking has been an issue and currently, there is a bridge off the peninsula and the only way off is through Mr. Walklet's property. The placement of his structure would allow them to continue this route.

Mr. Erlich moved in File 14-013 to approve a 17 ft. variance to the front yard setback for an end result of 18 ft., and an 11 ft. variance to the rear yard setback for an end result of 24 ft., and that gutters and downspouts be added. Mr. Fine supported and the MOTION CARRIED with a roll call vote: Spencer – yes (there is a hardship with the septic being close to the house and with the treed area); Fine – yes (he also sees the hardship), Ruggles – yes (for the hardship and the irregular shape of the lot); Erlich – yes (he feels this is a good thing). (4 yes votes)

	File 14-014
Applicant:	Douglas Hanson 9720 Elizabeth Lake Rd. White Lake, MI 48386
Location:	9720 Elizabeth Lake Rd., White Lake, MI 48386
Request:	Variance to Article 3.1.6 R1-D Single Family Residential for front and rear yard setbacks, lot size, lot width, lot coverage, natural features setback, and minimum floor area.

Ms. Spencer noted for the record that 26 property owners within 300 ft. were notified of the request. There were no letters received in favor or opposition, and no letters were returned undeliverable by the US Postal Service.

Mr. Iacoangeli reviewed his report dated September 15, 2014. This is a legal non-conforming single family residential home zoned (R-1D). The lot that this home sits on is also legal non-conforming for the district. The property is part of the Oxbow Park neighborhood and is located on Elizabeth Lake. The home uses a private well and septic system.

The applicant is proposing to build a new home (26 ft. x 28 ft., or 728 sq. ft.) on the main floor and is proposed to be a 2-story single family home with a walkout basement. The new home being constructed will be able to meet the side yard setback requires of 10 ft., however, the home will only be set back 15 ft. from Elizabeth Lake Road in the front yard, and 15 ft. from Elizabeth Lake in the rear yard. Additionally, the home will not be able to meet the 25 ft. natural features setback requirement from the lake. The property is severely deficient in lot size and lot width. The lot is only 50 ft. wide of the required 80 ft. and is approximately 3,500 sq. ft. of the required 12,000 sq. ft. for the R1-D district. The home will be over the allowable 20% lot coverage by 33 sq. ft. This home will be required to abandon the existing septic and connect to sanitary sewer. He added that the applicant will tear down the existing home and replace it with the proposed 2-story home.

Mr. Hanson stated they originally purchased the home to renovate it, but they found there were too many problems, i.e., footings, etc. that they have no choice but to rebuild. He feels this would be an improvement to the area and he neighbors have been very supportive.

Mr. Fine moved in File 14-014 to approve the following variances: (1) a 15 ft. front yard setback variance for an end result of 15 ft., (2) a 13 ft. rear yard setback variance for an end result of 17 ft., (3) an 8 ft. natural features setback for an end result of 17 ft., (4) a 1% variance to maximum lot coverage for an end result of 21%, (5) an 8,524 sq. ft. variance to minimum lot size for an end result of 3,476 sq. ft., (6) a 30 ft. variance to the required lot width for an end result of 50 ft., and that gutters and downspouts be added and the existing septic be abandoned and the home be connected to the township sanitary sewer system. Mr. Erlich supported and the MOTION CARRIED with a roll call vote: Erlich – yes; Fine – yes (this will be nicer); Ruggles – yes (there is a hardship with the lot and the existing facility and will be an improvement); Spencer – yes (this is legal non conforming with hardship, demolition will improve the area). (4 yes votes)

Next Meeting Date:

- a. Regular Meeting – October 23, 2014 (6 cases next month)

Adjournment:

Mr. Erlich moved to adjourn the meeting at 7:23 pm. Mr. Fine supported and the MOTION CARRIED with a unanimous voice vote. (4 yes votes)