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## WHITE LAKE TOWNSHIP

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### WHITE LAKE TOWNSHIP ZONING BOARD OF APPEALS

**June 26, 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: Mr. Ruggles and Mr. Artinian were excused.

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

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

Visitors: 4

#### Approval of Agenda:

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

#### Approval of Minutes:

- a. Minutes of regular meeting of June 26, 2014

Ms. Novak-Phelps moved to approve the minutes of June 26, 2014 as presented. Mr. Erlich supported and the MOTION CARRIED with a voice vote. (4 yes votes)

#### New Business:

	<b>File 14-012</b>
Applicant:	Rod Hadash 10571 Elizabeth Lake Rd. White Lake, MI 48386
Location:	Vacant General Common element for Woodland Shores located on the west side of Oxbow Lake Road, south of Riverwood Court.
Request:	Variance to Article 5.5 for frontage.

Ms. Spencer noted for the record that 9 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 again reviewed his report dated August 28, 2014. The property is described as a general common element for the Woodland Shores Condominium development on Oxbow Lake Road. The parcel looking to be removed from the common element is approximately 55 acres in size.

The applicant is proposing to split off or remove a portion of the Woodland Shores Condo development common area from the overall development. The newly created parcel will be deficient in the required road frontage for access.

The new parcel that would be created by this land contraction would not be able to meet the full frontage requirement for the R-1C Single Family District of 100 ft. The new parcel would have an 86.23 ft. wide access on Oxbow Lake Road. This is 14 ft. deficient from what the Zoning Ordinance requires.

Any approvals for this condo contraction/parcel creation need to be subject to the applicant meeting any further requirements of the Assessing Department.

Mr. Hadash explained that he acquired 2 parcels back in 2002, each having 50 acres. His development is on the east 50 acres and the west 50 acres are landlocked. His intent was clear that it was not be intended to be a part of Woodland Shores development. When going through the planning process, the road frontage requirement under the ordinance was 80 ft. and that has since changed to 100 ft. During the process, they found that the access stopped short and the 80 ft. access was not included on the condo documents. From a development standpoint, it would not be practical to put a road on the 86 ft. frontage and he does not foresee the west 50 acres being developed.

Ms. Spencer opened the discussion for public comment at 7:18 p.m.

Michael Gill stated his is the only property actually developed at the end of the cul-de-sac in Woodland Shores. He understands the concept of condos, in that there's common property and owned property through by-laws and master deeds. When purchasing his site condo, he never saw any access drawn in for this variance. He was told by the builder that the land was protected by the state and would not be developed. He questioned that is the west 50 acres adjoins to the developers personal 10 acre property, why he couldn't have an easement through his land and eliminate the future possibility of destroying a beautiful natural wetlands area. Ms. Spencer stated that the ZBA is charged with considering granting a 14 ft. variance to road frontage from the required 100 ft. They cannot tell him what to do with his land.

With no other comments, the public hearing was closed at 7:25 p.m.

Ms. Novak-Phelps asked if the property could be developed. Mr. Iacoangeli stated there is a lot of wetlands area and any development would need approvals from the state of Michigan. Ms. Novak-Phelps stated that Mr. Hadash has indicated he does not intend to develop this parcel. Can the ZBA, or should the ZBA, approve a variance for him for the future when we don't know what's happening today. In looking at this right now, she is struggling with approving something that won't happen tomorrow.

Mr. Iacoangeli noted that the Township Assessor has a denial letter that she cannot execute his split request because the parcel has no road frontage. The question is whether the ZBA thinks 86 ft. is sufficient for this parcel. Any future development will be up to Planning Commission and Community Development department to review any plan down the road.

Ms. Novak-Phelps moved in File 14-012 to approve from Article 5.5 Frontage, a 14 ft. variance to frontage for an end result of 86 ft. Mr. Fine supported and the MOTION CARRIED with a roll call vote. Ms. Spencer – yes (the 14 ft. deficiency will still allow a road to be developed on the site and will not impact development, and will have to go to Assessing); Ms. Novak- Phelps – yes (for reasons stated, and the township had an ordinance change that created a hardship for the developer); Erlich – yes (for the reasons stated); Fine – yes (for reasons stated). (4 yes votes)

**Next Meeting Date:**

- a. Regular Meeting – September 25, 2014

**Adjournment:**

Ms. Novak-Phelps moved to adjourn the meeting at 7:35 pm. Mr. Erlich supported and the MOTION CARRIED with a unanimous voice vote. (4 yes votes)