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WHITE LAKE TOWNSHIP

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WHITE LAKE TOWNSHIP ZONING BOARD OF APPEALS

September 27, 2012 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. Pearson were excused.

ROLL CALL: Robert Artinian – Vice Chairperson
Wayne Gilbert - Alternate
Rik Kowall
Mike Lanthier
Gail Novak-Phelps
Linda Pearson – Secretary - Excused
Josephine Spencer - Chairperson

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

Visitors: 3

Approval of Agenda:

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

Approval of Minutes:

- a. Minutes of regular meeting of August 23, 2012
- b. Minutes of special meeting of September 6, 2012
- c. Minutes of regular meeting of September 27, 2012

Ms. Novak-Phelps moved to approve the minutes of August 23, 2012 as presented. Mr. Lanthier supported and the MOTION CARRIED with a voice vote. (5 yes votes)

Ms. Novak-Phelps moved to approve the minutes of September 6, 2012 as presented. Mr. Lanthier supported and the MOTION CARRIED with a voice vote. (5 yes votes)

Ms. Novak-Phelps moved to approve the minutes of September 27, 2012 as presented. Mr. Artinian supported and the MOTION CARRIED with a voice vote. (5 yes votes)

New Business:

Applicant: **File 12-018**
Allan Asp
8876 Tackles

Location: White Lake, MI 48386
8876 Tackles, White Lake, MI 48386, identified as 12-13-104-009
Request: Variance to Article 6 for lot width, lot size, lot size, side yard setback, front yard setback, lot coverage, minimum floor area per dwelling, and distance to neighbors.

Mr. Kowall noted he has a personal relationship with the applicant and there is a conflict of interest on this case. He asked to be excused from the discussion.

Mr. Artinian moved to excuse Mr. Kowall from the discussion this evening. Mr. Lanthier supported and the MOTION CARRIED with a voice vote. (4 yes votes)

Ms. Spencer noted for the record that 45 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 October 16, 2012. This is a single-family residential home located in the Trails End Subdivision neighborhood on Pontiac Lake. This home is served by the sanitary sewer system and uses a private well.

The applicant seeks to build a 24 ft. wide x 30 ft. deep, 720 sq. ft. attached garage. The applicant is seeking variances in order to construct the attached garage to the existing 840 sq. ft. home. This is a non-conforming lot of record deficient in size by 6,093 sq. ft. The lot is also deficient with regard to lot width with 40 ft. of frontage along Tackles Drive. The township staff was on-site twice to verify the dimensions as submitted by the applicant. It is the opinion of the Community Development Department that a professional survey will be required to determine the lot lines and the exact setback dimensions for the garage. Also, the proposed size of the garage is too large and needs to be reduced considerably. This property can only reasonably support a one-car garage on the property at best.

He noted that the numbers in the variance request were what he personally calculated and he is concerned with the front yard setback. His measurements reflect 9 ft. and the proposed garage would be 14 ft. from the traveled portion of the road. The east side yard setback is very tight, and his measurements to the neighbor's yard would only give 7-8 ft. Also, he could not determine where the property line would be. In this case, he feels it would have to be determined where exactly the property line is. It was difficult to determine in the field whether the dimensions are in fact there without a formal survey. He added that the district requires the house be at least 1000 sq. ft. and the home is deficient at 820 sq. ft.

The applicant, Mr. Asp, 8876 Tackles, White Lake, noted that shed is barely the size of a 1-car garage right now. He has talked to Mr. Iacoangeli and would be willing to remove the shed. The shed was approved with the lot setback as it exists. In 2007, it was non-compliant and he was told the shed extended too close to the road. At that time, he was told where the shed had to be to come into compliance. He is requesting to locate the garage in the exact spot of where the shed currently sits. He would be willing to reduce the size of the garage to be 17 ft. from the road. He measured other garages on Tackles and 80% are less than 15 ft. from the road.

With losing the shed Mr. Asp feels he would not have space to put anything on the property. He has talked with the neighbors and they are not opposed to the garage. He needs the 2-car garage because he has 2 family members that will live there. He has experienced some vandalism and needs to have 2 cars parked in the garage. He does not feel this is an unreasonable request. He added that the garage would not go any wider than the house and will sit lower than the house.

Mr. Artinian questioned how he would get to the 17 ft. for the front yard setback. He said he measured from the edge of the road, on the plan he has it to 15 ft. He is reducing from 30 x 24 to 27 x 24.

Ms. Spencer would like to see a formal survey before making a determination. Mr. Asp stated he was told there would not be a way to do an accurate survey because the house was there since the 1940's, and it could run \$1,500.

Ms. Spencer indicated that the ZBA is charged with health, safety and welfare. She does not feel comfortable making any determination without a survey. There needs to be adequate room for emergency vehicles. A professional survey would be scaled and sealed, and would also allow a recourse for the township if something were to happen. And while there would be an expense to the applicant, they cannot consider financial hardship in these cases.

There was some discussion on moving the grinder pump and where it would go. The main issue is with the east side of the property. It was suggested that Mr. Asp look into a partial survey.

Ms. Spencer opened the discussion for comments from the public, but none was offered.

Mr. Artinian feels this plan is close, but the east side yard lines clarified.

Mr. Asp said he is not opposed to a survey, but feels it will produce what the board already has before them. Ms. Spencer asked if he could get a survey from one of his neighbors to be able to scale and the board could rule on fact at that point.

Mr. Artinian moved to table File 12-018 to allow the applicant to provide additional information. Ms. Novak-Phelps supported ant the MOTION CARRIED with a voice vote. (4 yes votes)

Mr. Kowall stated he will be stepping into the role as Trustee and complimented the members on their work with the ZBA. He has enjoyed his time and will be recommending someone to fill his position. He also asked for ID badges for the ZBA. Mr. Iacoangeli stated the township is looking into investing into a badge machine for all staff to use.

Next Meeting Date:

- a. Regular Meeting – November 29, 2012

Adjournment:

Mr. Artinian moved to adjourn the meeting at 7:38 pm. Ms. Novak-Phelps supported and the MOTION CARRIED with a unanimous voice vote. (4 yes votes)