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WHITE LAKE TOWNSHIP

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WHITE LAKE TOWNSHIP ZONING BOARD OF APPEALS

August 23, 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: Mr. Artinian and Mr. Lanthier were excused.

ROLL CALL: Robert Artinian – Vice Chairperson - Excused
Rik Kowall
Mike Lanthier - Excused
Gail Novak-Phelps
Linda Pearson - Secretary
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. Mr. Kowall supported and the MOTION CARRIED with a voice vote. (4 yes votes)

Approval of Minutes:

Ms. Novak-Phelps moved to approve the minutes of July 26, 2012 as presented. Mr. Kowall supported and the MOTION CARRIED with a voice vote. (4 yes votes)

Ms. Novak-Phelps moved to approve the minutes of August 09, 2012 as presented. Ms. Pearson supported and the MOTION CARRIED with a voice vote. (4 yes votes)

New Business:

Applicant: **File 12-015**
William Sherbrooke
1660 Salishan Lane
Commerce, MI 48382

AUGUST 23, 2012

Location: 4208 Jackson Blvd., White Lake, MI 48383, identified as 12-07-326-010

Request: Variance to Article 6 for minimum lot size, required lot width, side yard setback, distance to neighbors, and minimum floor area.

Ms. Spencer noted for the record that 31 property owners within 300 ft. were notified of the request. There were no letters received in favor or opposition and 5 letters were returned undeliverable by the US postal service.

Mr. Iacoangeli reviewed his report dated August 14, 2012. This is a legal non-conforming lot on White Lake. Since the time of publication, the existing home has been demolished and this is a vacant parcel. The proposed new home will utilize a private well and septic system.

The applicant is proposing to build a new 1,278 sq. ft. two-story single family residential home. The applicant has provided a letter from Kieft Engineering dated July 26, 2012 with regard to the location of the new home on the property. While every effort has been made to minimize the variances required to build this home, the Community Development department feels the size of the proposed garage (15 x 34) is excessive for this site. The garage should be no wider than 12 ft. wide. This would reduce the side yard setback variance even further. Also, the application should be made to provide the additional living space to meet the ground floor area requirement. This can be done by reducing the size of the garage. He noted that the site has difficulties and the portion of the lot above water is 9,000 sq. ft. versus the required 16,000 sq. ft.

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

There was discussion on eliminating the variance request for minimum floor area by increasing the footprint of the home by 77 sq. ft. to meet the 800 sq. ft. requirement.

John Forsythe, builder for the project, 5585 Bentwood, Commerce, stated that they didn't want to overbuild the lot and wanted to be conscientious to the neighbors, however, claiming 77 sq. ft. would not be an issue. They would like to keep the 15 ft. width of the garage for ease of access and boat storage.

Mr. Kowall suggested shifting east/west towards the water to increase the floor space, but Mr. Forsythe felt the topography of the land would create an issue. There are 3 large oak trees on the lot and he feels shifting in this direction would compromise the trees they were trying to keep. He also noted that the septic tanks are jamming the driveway and creating a "jog" would make it difficult to maneuver vehicles in and out of the garage.

Ms. Pearson questioned whether the garage could be shortened from the 34 ft. depth. Mr. Forsythe responded that in the winter, the boat and trailer would take up that area and in the summer, they could piggyback cars but would still have limited roadside parking.

Mr. Kowall stated he has always been concerned with having fire protection measures in place and the distance to the neighbors is paramount. Mr. Forsythe stated again that it would be easier to grow north to south to add the additional 77 sq. ft.

Ms. Spencer moved in File 12-015 to approve Variance #1: a 6,653 sq. ft. variance to Minimum Lot Size for an end result of 9,347 sq. ft. Mr. Kowall supported and the MOTION CARRIED with a roll call vote: Spencer – yes; Pearson – yes; Novak-Phelps – yes; Kowall – yes. (4 yes votes)

Ms. Novak-Phelps moved in File 12-015 to approve Variance #2: a 33.3 ft. variance to the required Lot Width for an end result of 66.7 ft. Mr. Kowall supported and the MOTION CARRIED with a roll call vote: Spencer – yes; Pearson – yes; Novak-Phelps – yes; Kowall – yes. (4 yes votes)

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Ms. Novak-Phelps moved in File 12-015 to approve Variance #3: a 5 ft. variance to the north side yard setback for an end result of 5 ft. Mr. Kowall supported and the MOTION CARRIED with a roll call vote: Spencer – yes; Pearson – yes; Novak-Phelps – yes; Kowall – yes. (4 yes votes)

Ms. Novak-Phelps moved in File 12-015 to approve Variance #4: a 4.5 ft. variance to the Distance to the Neighbors for an end result of 15.5 ft. (5.5). Mr. Kowall supported and the MOTION CARRIED with a roll call vote: Spencer – yes; Pearson – yes; Novak-Phelps – yes; Kowall – yes (with all the necessary attention to provide firewall protection). (4 yes votes)

Ms. Novak-Phelps moved in File 12-015 to approve Variance #5: a 77 sq. ft. variance to Minimum Floor Area for an end result of 723 ft. Mr. Kowall supported and the MOTION FAILED with a roll call vote: Spencer – no; Pearson – no; Novak-Phelps – no; Kowall – no. (4 yes votes)

Ms. Spencer noted that on the above 4 variance requests, this is a non-conforming lot of record and the applicant will work with the building official to meet the minimum square footage on the house.

Next Meeting Date:

- a. Special Meeting – September 6, 2012 (Ms. Pearson cannot attend)

Adjournment:

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