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WHITE LAKE TOWNSHIP

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WHITE LAKE TOWNSHIP ZONING BOARD OF APPEALS

March 22, 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 was absent.

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

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

Visitors: 4

Approval of Agenda:

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

Approval of Minutes:

- a. Minutes of January 26, 2012

Ms. Novak-Phelps moved to approve the minutes of January 26, 2012 as presented. Ms. Pearson supported and the MOTION CARRIED with a voice vote. (5 yes votes)

Old Business:

	File 12-001
Applicant:	Mark Heyniger 10211 Cedar Island Rd. White Lake, MI 48386
Location:	10211 Cedar Island Rd., identified as 12-34-230-005
Request:	Variance to Article 6 for front and side yard setbacks, lot width, and distance to neighbors

Ms. Spencer noted for the record that 22 property owners within 300 ft. were notified of the request. There were no letters received in favor, 2 letters received in opposition, and none were returned undeliverable by the US postal service.

Mr. Iacoangeli reviewed his report dated March 22, 2012. This is a single-family residential home located in the Golden Estates Neighborhood. This home is NOT served by the sanitary sewer system and uses a private well.

The applicant wishes to build a garage addition to the existing garage that is 24' x 20' or 480 sq. ft. The applicant is proposing a 24' x 20' garage addition to an existing 2-car garage. The new garage will encroach further into a non-conforming side yard that already exists. The need for an 18' front yard setback will be created by the garage addition and this will also create the need for a distance to neighbor's variance in the amount of 1.5 ft. It should be noted that the front lot line is 48.5 ft. from the road right of way on Cedar Island Road, and from the road to the front of the proposed garage would be 65 ft. from the traveled portion of the road.

Mr. Heyniger addressed the board. He stated that he has 2 classic cars and would like to build another garage to house his other cars.

Ms. Spencer noted for the record that 2 letters of opposition were received, one from Peter and Beverly Lusic, 10275 Cedar Island, who feel the housing market is an issue; and the other from Ray and Susan Vanderwill, 10259 Cedar Island, who want to see the same boundaries for all the neighbors.

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

Mr. Kowall asked where the septic was located to make sure maintenance vehicles would be able to service it if needed. Mr. Heyniger responded that the septic is in the rear yard and the well location is at the corner of the garage. He added that due to the location of the septic, he was unable to add the garage to the rear.

Mr. Lanthier noted that the applicant has to prove a practical difficulty or hardship and it can't be financial. Mr. Heyniger stated there is no other place to put the addition.

Ms. Novak-Phelps addressed the letters of opposition from the neighbors and doesn't see the housing market being an issue. Also, she noted there are other houses on the street with different configurations. This board has given these types of approvals in the past. Mr. Heyniger added that he would not be obstructing anyone's view and was conscious not to face the door towards the road, which would eliminate parking cars in a way that would block views.

Mr. Kowall moved in File 12-001 to grant the following variances: (1) a 20 ft. variance to lot width for an end result of 80 ft.; (2) an 18.1 ft. variance to the front yard setback for an end result of 16.9 ft.; (3) a 1.3 ft. east side yard setback for an end result of 8.7 ft.; (4) a 1.5 ft. variance from the distance to the neighbors for an end result of 18.5 ft. Ms. Novak-Phelps supported and the MOTION CARRIED with a roll call vote: Spencer – yes (this is a non-conforming lot and the 65 ft. distance to the road is not causing any health, safety or welfare issues; the area to the east is already non-conforming and the variance requested for the distance to the neighbors is very small); Lanthier – no; Pearson – no; Novak-Phelps – yes (based on Ms. Spencer's comments); Kowall – yes (based on Ms. Spencer's remarks). (3 yes, 2 no votes)

File 12-002

Applicant: Gary Ratzlaff Fulkerson
10185 Elizabeth Lake
White Lake, MI 48386

Location: 10185 Elizabeth Lake., identified as 12-27-227-013
Request: Variance to Article 6 for front and side yard setbacks, lot width,
and distance to neighbors

Ms. Spencer noted for the record that 27 property owners within 300 ft. were notified of the request. There were no letters received in favor or opposition, and none were returned undeliverable by the US postal service.

Mr. Iacoangeli reviewed his report dated March 15, 2012. This is a single-family residential home located in the Baker Beach Neighborhood. This home is NOT served by the sanitary sewer system and uses a private well.

The applicant wishes to construct a new 2-car garage and a new home addition. The new garage would use the existing 5.85 ft. setback of the current home. The distance to neighbor's variance is also an existing condition. However, the garage would encroach further into the front yard and a variance of 13 ft. This setback is based on the property line. An addition 20 ft. remains between the property line and the traveled portion of Elizabeth Lake Road. The lot is non-conforming with regard to lot width.

The garage would use the same existing setback, but the new front yard setback would be at 22 ft. The applicant's property line, there is 42 ft. from the traveled portion of the road.

Ms. Spencer asked there were significant lot coverage with the sheds on the property. Mr. Iacoangeli responded that the lot is 330 ft. deep and the new addition and sheds are well within the 20% lot coverage.

Mr. Fulkerson noted that he considered putting the garage in the rear yard, but found the septic field would have to be re-piped to the very rear of the yard with a supplemental pump.

Mr. Kowall asked if he would keep the circle drive. Mr. Fulkerson stated the circle drive would be removed and there will be a back-out area for the garage.

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

Ms. Spencer moved in File 12-001 to grant the following variances: (1) a 20 ft. variance to lot width for an end result of 80 ft.; (2) a 13 ft. variance to the front yard setback for an end result of 22 ft.; (3) a 4.15 ft. west side yard setback variance for an end result of 5.85 ft.; (4) a 3.9 ft. variance from the distance to the neighbors for an end result of 16.1 ft. Ms. Novak-Phelps supported and the MOTION CARRIED with a roll call vote: Spencer – yes (this is already non-conforming and even though we are increasing the non-conformity, there is 20 ft. from the road after the building is constructed and this doesn't pose any health, safety or welfare issues; the other 2 variances are existing); Novak-Phelps – yes (for the reasons stated); Lanthier - yes (for reasons stated); Pearson – yes (for reasons stated); Kowall – yes (for reasons stated). (5 yes votes)

Next Meeting Date:

a. April 26, 2012

Adjournment:

Ms. Novak-Phelps moved to adjourn the meeting at 7:33 pm. Ms. Pearson supported and the MOTION CARRIED with a unanimous voice vote. (5 yes votes)