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WHITE LAKE TOWNSHIP

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WHITE LAKE TOWNSHIP ZONING BOARD OF APPEALS

October 27, 2011 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. Gilbert and Mr. Lanthier were excused.

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

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

Visitors: 3

Approval of Agenda:

Mr. Iacoangeli requested to add Item 7A - December Meeting – to the agenda.

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

Approval of Minutes:

a. Minutes of August 25, 2011

Mr. Kowall moved to approve the minutes of August 25, 2011 as submitted. Mr. Artinian supported and the MOTION CARRIED with a voice vote. (5 yes votes)

New Business:

Applicant: **File No. 11-012**
Richard Mieczkowski
4200 Jackson Court
White Lake, MI 48383

Location: 4200 Jackson Court, identified as 12-07-326-004
Request: Variance to Article 27, for Nonconforming lots, nonconforming uses of land, nonconforming structures, nonconforming uses of structures and premises, and nonconforming characteristics of use Section 27.07 Repairs and Maintenance, and to Article 6 for lot width, lot area, side yard setback, distance to neighbors, and lot coverage.

Ms. Spencer noted for the record that 34 property owners within 300 ft. were notified of the request. There were no letters received in favor or opposition, and 6 were returned undeliverable by the US postal service.

Mr. Iacoangeli reviewed his report dated October 18, 2011. This is a single-family residential home located on White Lake. The lot is part of Supervisors Plat No. 1. This home is not served by the sanitary sewer system, but is on a private well.

The applicant is seeking variances in order to build a new 264 sq. ft. garage. The 12' x 22' garage would be detached from the residence. Also, the applicant seeks to remodel the home to incorporate the existing covered front porch into the interior of the home as well as adding a second story to both the home and garage.

Mr. Iacoangeli noted there are issues that this is an old Supervisors plat lot. The lot is narrow, but has depth and the buildable area is small. He talked to the developer about the garage having to be a minimum of 5 ft. from the side yard. The developer was not opposed to making this change. The Repairs and Maintenance article in the ordinance deals with non-conforming structures and is supposed to allow for repairs and maintenance of a home, but only ½ of the SEV of the home. The proposed additions will exceed the ½ of the SEV. The other variances requested are due to the fact that the lot is substandard.

Matt Whelan, the developer for the project, 620 Milford Road, Milford, 48381 presented the project. He feels what is proposed is the best approach with what they can do to improve the lot as it exists. They have tried to make the lot and structure as compliant as possible.

Mr. Artinian questioned whether the lot can support the proposal. Mr. Whelan responded that this proposal has more lot coverage than what was previously approved. He is not opposed to the 5 ft. side yard setback that he was made aware of by Mr. Iacoangeli.

Mr. Iacoangeli cautioned the applicant to make sure the septic field will not be encumbered by this plan. Mr. Whelan said there are other fields in worse condition and he is confident the Drain Commission will find this acceptable.

Mr. Kowall complemented the applicant on the design of the addition. He questioned whether Mr. Whelan had conversations with the Oakland County Health Department and if there was a potential alternate location if the septic field were to fail. Mr. Whelan indicated he has talked to Oakland County he understands this was presented and approved by the County. Their original plan actually had less room than what they are presenting now. Mr. Kowall also noted that the plan suggests they would replace the existing septic field. Mr. Whelan noted there is a double vault tank that is existing and functional and Oakland County Drain Commission will dictate requirements and pose restrictions.

Mr. Kowall questioned why the proposed garage was not attached to the house. Mr. Whelan indicated they tried to be more compliant by detaching it. Mr. Kowall felt the plan would be more user-friendly if the garage were attached and would give an alternate location if the septic field failed. Mr. Whelan stated that they did have discussions about attaching the garage, but they would run into an off-center situation so they chose to keep it detached.

Mr. Artinian noted that gutters are shown on the plan, but not downspouts. Mr. Iacoangeli indicated there is currently no ordinance with regard to storm water practices, but he distributed information pertaining to common practices.

Ms. Pearson moved in File 11-012 to approve the following variances: (1) a variance to Minimum Lot Size of 10,770 sq. ft. for an end result of 5,230 sq. ft.; (2) a variance to Required Lot Width of 69 ft. for an end result of 31 ft.; (3) a variance to the north Side Yard Setback of 5 ft. for an end result of 5 ft.; (4) a variance to Distance to Neighbors of 9 ft. for an end result of 11 ft.; (5) a variance to Article 27.07A for Repairs and Maintenance with staff recommendations. Mr. Artinian supported and the MOTION CARRIED with a roll call vote: Pearson – yes; Novak-Phelps – yes; Kowall – yes; Artinian – yes; Spencer – yes (the applicant is making a great improvement to the lot, and while the variance for SEV is greater, in this case the applicant can't do anything else without benefiting the property). (5 yes votes)

Next Meeting Date:

- a. November – cancelled due to the Thanksgiving holiday
- b. December – suggested moving to December 8, subject to having a case.

Mr. Artinian moved to change the December 22 meeting to December 8. Ms. Novak-Phelps supported and the MOTION CARRIED with a unanimous voice vote. (5 yes votes)

Adjournment:

Ms. Novak-Phelps moved to adjourn the meeting at 7:30 pm. Ms. Pearson supported and the MOTION CARRIED with a unanimous voice vote. (5 yes votes)