

Mike Kowall, Supervisor
Terry Lilley, Clerk
Beverly J. Spoor, Treasurer



Trustees
Carol J. Burkard
Michael Powell
Todd T. Birkle
Forrest Jay Brendel

WHITE LAKE TOWNSHIP

7525 Highland Road • White Lake, Michigan 48383-2900 • (248) 698-3300 • www.whitelaketwp.com

WHITE LAKE TOWNSHIP ZONING BOARD OF APPEALS

December 9, 2010 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. Long were absent.

ROLL CALL: Robert Artinian - Secretary
Wayne Gilbert – Vice Chairperson - **Absent**
Mike Lanthier
Mike Long - **Absent**
Linda Pearson - Alternate
Josephine Spencer - Chairperson

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

Visitors: 11

Approval of Agenda:

Mr. Artinian moved to approve the agenda as presented. Mr. Lanthier supported and the **MOTION CARRIED** with a voice vote. (4 yes votes)

Approval of Minutes:

- a. Minutes of June 24, 2010
- b. Minutes of August 26, 2010

No action was taken this evening.

New Business:

	File No. 10-015
Applicant:	Bill Derocher 8969 Twin Lakes Dr. White Lake, MI 48386
Location:	3598 Jackson, identified as 12-07-151-006
Request:	Variance to Article 6, for front and side yard setback, lot size, lot width, minimum first floor square footage, lot coverage, and distance to neighbors.

Ms. Spencer noted for the record that 36 property owners within 300 ft. were notified of the request. There was 1 letter received in favor, none in opposition, and 5 returned undeliverable by the US postal service.

Mr. Iacoangeli reviewed his report dated November 30, 2010. 3598 Jackson Blvd. is a one story single family home located in the "Smith & Brown" subdivision and is a legal non-conforming lot of record located on White Lake. This home is not served by the sanitary sewer system and uses a private well.

The applicant is seeking variances in order to construct an attached 16x24 (or 384 sq. ft.) one-car garage.

The lot is a legal non-conforming lot of record and is deficient in lot area and lot width by 12,000 sq. ft. The new garage addition would put the applicant 10.9% over the allowable 20% lot coverage. The existing home is currently non-conforming with regard to minimum floor area per dwelling unit and side yard setback on the north side of the home.

Mr. Derocher stated he would like to construct a 1-car attached garage. He wanted to follow the existing house line, but wasn't able to and had to bump the garage out 5 ft. He noted the existing shed would be removed and added that there would not be any living space in the garage.

Ms. Pearson stated there are many homes in the area that are non-conforming and she doesn't have a problem with this request. Mr. Artinian agreed and added that the septic would still be able to be serviced if needed.

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

Mr. Artinian moved in File 10-015 to grant variance (1) minimum lot size to 3,750 sq. ft.; (2) required lot width of 63 ft. for an end result of 37 ft.; (3) a 9.21 ft. front yard setback for an end result of 25.79 ft.; (4) a 4.2 ft. side yard setback for an end result of 5.8 ft.; (5) a 3.6 ft. variance for the distance to the neighbors for an end result of 16.4 ft.; (6) minimum floor area to 1,040 sq. ft.; and (7) a 10.9% variance to maximum lot coverage for an end result of 30.9%; contingent upon the existing shed being removed, and gutters and downspouts be added. Mr. Lanthier supported and the MOTION CARRIED with a roll call vote: Spencer – yes (there is a hardship, the lot is non-conforming and inconsistent with the area, and this would be an improvement to the property); Artinian – yes (this would be similar to the rest of the neighborhood and it is not increasing the non-conformity); Pearson – yes (for the reasons stated); Lanthier - yes (for the reasons stated). (4 yes votes)

	File No. 10-016
Applicant:	Kevin Akey 35980 Woodward Ave., Ste. 300 Bloomfield Hills, MI 48304
Location:	4200 Jackson, identified as 12-07-326-004
Request:	Variance to Article 6, for side yard setback, lot size, lot width, lot coverage, and distance to neighbors.

Ms. Spencer noted for the record that 32 property owners within 300 ft. were notified of the request. No letters were returned in favor or opposition and 7 were returned undeliverable by the US postal service.

Mr. Iacoangeli reviewed his report dated November 30, 2010. 4200 Jackson Blvd. is an existing single-family residential home located in "Supervisor's Plat No. 1". It is a legal non-conforming lot of record located on White Lake. This home is not served by the sanitary sewer system and uses a private well.

The applicant seeks to remove the existing home and construct a new 2-story, 1,706 sq. ft. single family home on the property.

The buildable area is restricted based on the non-conforming size of the lot, location of the septic field, and the encroachment of White Lake onto the property. The applicant has done a good job minimizing the lot coverage of the new home on the site, while still meeting the front yard setback and natural features setback. The 2-story architecture of the home is consistent with other homes in the neighborhood. Also, the majority of the lot extends out into the lake and calculations are based on the land and not inclusive of the water.

Ms. Spencer noted for the record that the applicant submitted a petition signed by neighbors in favor of the request.

Brad Rockwell of ADZ Architects was present to address this case. He indicated the current lot is undersized based on zoning requirements. They took care to fit in with the character of the neighborhood. The existing home and shed is within inches of the lot lines and because they are on a septic system, this further made it more difficult to fit the house on the lot and they had to reduce the size even more. Given all the restrictions, they did the best they could.

Ms. Spencer asked if they intended to build a deck at the same time they are building the house and Mr. Rockwell confirmed that they would.

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

and deck is included as part of this motion. Mr. Lanthier moved in File 10-016 to grant variance (1) minimum lot size to 5,154 sq. ft.; (2) required lot width to an end result of 33 ft.; (3) a 5 ft. north side yard setback for an end result of 5 ft.; (4) a 9.2 ft. variance to the north distance to the neighbors for an end result of 10.8 ft.; (5) a 5 ft. south side yard setback for an end result of 5 ft.; (6) a 10.5 ft. variance to the south distance to the neighbors for an end result of 9.5 ft.; (7) a 1.4% variance to maximum lot coverage for an end result of 21.4%, and that gutters and downspouts be added. The deck is included as part of this motion. Mr. Artinian supported and the MOTION CARRIED with a roll call vote: Artinian – yes (the applicant has done a good job putting the right size house on a small lot); Lanthier (the side yard has improved); Pearson – yes (this is non-conforming and there is a hardship); Spencer – yes (there is a hardship and the applicant has done a remarkable job and reduced some of the non-conformity). (4 yes votes)

Other Business:

- a. Approval of the 2011 Zoning Board of Appeals meeting dates

Mr. Artinian moved to approve the 2011 meeting dates of the Zoning Board of Appeals. Mr. Lanthier supported and the MOTION CARRIED with a voice vote. (4 yes votes)

Next Meeting Date:

- a. January 27, 2010

Adjournment:

Mr. Artinian moved to adjourn the meeting at 7:25 pm. Mr. Lanthier supported and the MOTION CARRIED with a voice vote. (3 yes votes)