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WHITE LAKE TOWNSHIP

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WHITE LAKE TOWNSHIP ZONING BOARD OF APPEALS

June 24, 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. Lanthier were absent.

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

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

Visitors: 10

Approval of Agenda:

Mr. Artinian moved to approve the agenda as presented. Mr. Long supported and the **MOTION CARRIED** with a voice vote. (3 yes votes)

Approval of Minutes:

a. Minutes of May 27, 2010

Mr. Long moved to approve the minutes of May 28, 2010 as presented. Mr. Artinian supported and the **MOTION CARRIED** with a voice vote. (3 yes votes)

New Business:

	File No. 10-010
Applicant:	Barry Glasser 10240 Mary Lee White Lake, MI 48386
Location:	10240 Mary Lee, identified as 12-22-278-008
Request:	Variance to Article 6, for front yard setback, lot size, distance to neighbors, and a variance to Article 27 Section 27.02 for non-conforming structures

Ms. Spencer noted for the record that 35 occupant/homeowners within 300 ft. were notified of the request. There were no letters received in favor or opposition, and 3 were returned undeliverable by the postal service.

Mr. Iacoangeli reviewed his report dated June 17, 2010. This is a one story single family home located on Lot 13 & 14 of the Oxbow Lake Grove subdivision and is a legal non-conforming lot of record located on Oxbow Lake. This home is NOT served by the sanitary sewer system and uses a private well. The applicant is seeking variances necessary to construct a 1,920 sq. ft. single family home. It should be noted the existing septic field is located within the front yard setback area and that the new home would be located approximately 33 ft. from the traveled portion of Mary Lee Ave. The applicant is eliminating the existing non-conforming conditions on the east side of the property by removing the existing part of the home that is located 3 ft. from the property line and proposing that the new structure be 13 ft. from the property line.

The applicant, Mr. Glasser, indicated he wants to leave the basement portion, but would remove the piece on the east side to comply with the ordinance setback.

Mr. Long noted there is a shed on the front corner of the property that should be removed after completing the new building. Mr. Glasser stated he would remove the shed from the existing location.

Ms. Spencer opened the discussion to the public.

Bernadine Edwards, 10131 Joanna K, stated she is happy for the applicant and she feels it is wonderful that they are improving the property and it will be a nice addition to the neighborhood. She wishes them good luck.

With no other comments, Ms. Spencer closed the public hearing.

Mr. Long moved in File 10-010 to grant variances from Article 6 for 2,400 sq. ft. to the minimum lot size for an end result of 9,600 sq. ft.; a 3 ft. front yard setback variances for an end result of 27 ft., that gutters and downspouts be added, and the existing shed be removed. Mr. Artinian supported and the MOTION CARRIED with a roll call vote: Artinian – yes (this is a realistic plan and the applicant has decreased the non-conformity on one side); Long – yes (for the same reasons); Spencer – yes (there is a hardship and the applicant is eliminating some of the non-conformity). (3 yes votes)

	File No. 10-011
Applicant:	George Seling 9110 Pontiac Lake Road White Lake, MI 48386
Location:	9110 Pontiac Lake Road, identified as 12-14-284-027
Request:	Variance to Article 6, for front yard setback, lot size, lot coverage, and to Article 4 Section 4.20 for accessory buildings in residential districts.

Mr. Iacoangeli reviewed his report dated June 17, 2010. This is a single family home located in the English Villas subdivision and is a legal non-conforming lot of record located on Pontiac Lake. The home is served by sanitary sewer and uses a private well. The applicant is seeking variances in order to construct a 576 sq. ft. addition on to the existing garage. The garage is currently non-conforming with regard to the front yard setback on the south side of the property along Pontiac Lake Road and is located 5 ft. from the property line and 22 ft. from the traveled portion of the road. The ordinance states that detached garages that are less than 20 ft. from the main structure must meet all setback/open space requirements as if it were the main building.

Ms. Spencer noted for the record that 20 occupant/homeowners within 300 ft. were notified of the request. There were no letters received in favor or opposition and none were returned undeliverable by the postal service.

Mr. Seling was being represented by neighbors of the same family due to his being in the hospital. The rep stated the garage has been there a long time and is falling apart. Mr. Seling wants to add on to it to allow for a workshop and the ability to park car. He is going from a 1-car to a 2-car garage and they can't go back because the house sits behind the garage.

Mr. Long questioned the actual size of the garage and Mr. Iacoangeli calculated 42 ft. wide x 24 ft. deep. The existing garage is 18 ft. and the applicant is adding 24 ft. to the width. Mr. Long expressed his concern being with the non-conformity and expanding lot coverage becomes an issue. He is adverse with this going over lot coverage with the size they are proposing. He noted that the existing garage would have to come into full compliance with the building code.

Mr. Iacoangeli noted there is a utility pole and the applicant needs 5-6 ft. to clear the pole in order to put in a door. Discussion continued with how to reduce the garage and still clear the pole. The rep thought Mr. Seling may be able to adjust the depth to 22 ft., but he would have to talk to him. Ms. Spencer asked if there were an easement with the pole and noted for the record that even if the ZBA were to grant the request, it is not responsible if the utility company says they can't build. She would like to see the applicant get something in writing from the utility company.

Mr. Long would be accepting of a maximum width at 38 ft. and feels it would give them enough room to put a full door even though they would have to maneuver around it.

The representative requested to be tabled until the applicant can be present next meeting.

Mr. Long moved in File 10-011 to table for up to 90 days. Mr. Artinian supported and the MOTION CARRIED with a voice vote. (3 yes votes)

	File No. 10-012
Applicant:	Richard Wing 5055 Lakegrove White Lake, MI 48383
Location:	5055 Lakegrove, identified as 12-06-276-030
Request:	Variance to Article 6, for front yard setback and natural features setback.

Mr. Iacoangeli reviewed his report dated June 17, 2010. This is a 2-story single family home located on Lots 392-396 of the Lake Grove subdivision. The lot is conforming with regard to lot area and width. The home is NOT served by the sanitary sewer and uses a private well. The applicant is seeking variances in order to construct a 588 sq. ft. addition on to the existing home. There is also a request for a 20 ft. variance to the Natural Features Setback and included is a letter from the Township's Environmental Coordinator, Mike McAdams.

The applicant, Mr. Wing, stated they have 6 kids and would like to add on to their home. The north side of the property is where the septic field is located. Mr. Iacoangeli added that the lot is huge with 114 ft. side yard setbacks, but the majority of the property is wetlands. Mr. Long referenced Mr. McAdams letter, at which he doesn't have a problem with the Natural Features variance request.

Mr. Wing indicated they want to give their house depth and character. Mr. Long stated he doesn't like to expand an existing non-conforming to the front and asked the applicant to consider making the addition even with the house or step it back to have a little difference. Mr. Spencer added that if Mr. Wing were to step it back 6 ft., it would be a non-variance.

Mr. Wing agreed to move the structure back 6 ft. and eliminate the request for a front yard setback variance.

Ms. Spencer moved in File 10-012 to grant a 3 ft. front yard setback variance to the permitted 30 ft. and a 20 ft. natural features setback for an end result of 5 ft. The applicant has indicated he wishes to eliminate the front yard setback and will keep the 30 ft. permitted setback. Mr. Artinian supported and the MOTION CARRIED with a roll call vote: Long – yes (a natural features setback is a hardship for consideration of the lot); Spencer – yes (there is a hardship with the property and the applicant has agreed to eliminate the front yard setback request); Artinian – yes (for the reasons stated). (3 yes votes)

Next Meeting Date:

- a. July 22, 2010

Adjournment:

Mr. Artinian moved to adjourn the meeting at 7:45 pm. Mr. Long supported and the MOTION CARRIED with a voice vote. (3 yes votes)