

Mr. Powell asked staff if the applicant made adjustments regarding the proposed width of the house. Staff Planner Quagliata said the bump out on the west side of the house was shrunk by 4/10 of a foot. Staff Planner Quagliata added the applicant could have changed the floorplan of the proposed home to achieve a larger setback.

Ms. Dehart asked staff if many of the parcels on the street were around 50' in width. Staff Planner Quagliata confirmed.

Mr. Snapp was present to speak on his case. He said he wanted the bump out on the house to create an architectural feature. He added houses around his had setbacks close to the road.

Mr. Powell asked the applicant about the bump out from the lake side of the house. Mr. Snapp said he did not think his proposal would be an issue since the neighbors around him had similar setbacks, and added the bump out could be seen from the road.

Mr. Walz asked staff what the lot coverage would be. Staff Planner Quagliata said 33%.

Chairperson Spencer opened the public hearing at 7:20 PM. Seeing no public comment, she closed the public hearing at 7:21 PM.

Mr. Powell asked staff how many feet there would be between the proposed house and the neighboring houses if the requested variances were approved. Staff Planner Quagliata said there would be 9.3' from the house to the west and 11.8' from the neighbor to the east.

Mr. Powell asked staff if the bump out on the west side was eliminated, would the applicant achieve a 10' setback from the neighboring house. Staff Planner Quagliata confirmed.

Mr. Walz asked the applicant how many people would be living in the proposed house. Mr. Snapp said four.

Mr. Powell MOVED to table the variance requests of Robert Snapp for Parcel Number 12-13- 176-002, identified as 8834 Arlington Road, to consider comments stated during this meeting.

Ms. Dehart SUPPORTED, and the MOTION CARRIED with a roll call vote (5 yes votes):

Powell: YES.

Dehart: YES.

Schillack: YES.

Spencer: YES.

Walz: YES; the applicant would have time to work with the Planning Department to revise his plans.

- c. Applicant: Maria Elliott
 Location: **2115 Haley Road**
 White Lake, MI 48383
 identified as 12-16-401-024
 Request: The applicant requests to exceed the allowed number of equine animals on a 3.01-acre Suburban Farm zoned parcel, requiring variances from Article 4.2.B, Maintenance of Animals.

Ms. Spencer noted for the record that 29 owners within 300 feet were notified. 0 letters were received in favor, 0 letters were received in opposition and 0 letters were returned undeliverable from the US Postal Service.

Ms. Dehart asked to be recused from the case due to a previous realtor relationship with the applicant. Mr. Schillack moved in favor to recuse Ms. Dehart. There was no support, and the motion failed. Ms. Dehart remained in the virtual meeting room.

Staff Planner Quagliata gave his staff report.

Mr. Powell asked staff if the Zoning Board of Appeals needed to approve both variances to modify the acreage requirement and address the number of animals. Staff Planner Quagliata said the request was published for flexibility, so just one of the variances could be approved.

Chairperson Spencer asked staff if the requested variance on acreage were granted, would the variance run with the land forever. Staff Planner Quagliata confirmed.

Mr. Schillack asked Chairperson Spencer if a motion could be made to allow the variance for the fourth animal to exist for the current owners, but cease upon the house changing occupants. Chairperson Spencer said the Zoning Board of Appeals could do so, but such situation would be hard to enforce.

Mr. Walz asked Chairperson Spencer if the motion could be dependent on the requested variance being allowed until the fourth animal passed away. Chairperson Spencer said that would be hard to enforce. Staff Planner Quagliata added the Township had one ordinance officer, and tracking animal welfare would be difficult.

Ordinance Officer Hudson said by granting the requested variance, a precedence could be made with other Class II animals. He said the minimum Class II animal allowance standard was made less restrictive in the past from five acres to two acres.

Mr. and Mrs. Elliot, 2115 Haley Road, were present to speak on their class. Ms. Elliot said she was not seeking a permanent variance. Two of her horses were older in age and couldn't be ridden due to their health issues. She was unaware of the animal allowance when she purchased the third horse. She said when one of the horses passed away, she would bring proof of their passing to the Township. She said the horses and donkey were all bonded.

Mr. Powell asked Mrs. Elliot about the relationship between herself and the animals. Mrs. Elliot said she had one of the horses for twenty-five years, and another for twenty-two years. The younger horse grew up with the elder horse. The donkey was rescued and suffered from separation anxiety and mental trauma.

Chairperson Spencer opened the public hearing at 8:26 PM. She read a letter of opposition into the record. Seeing no public comment, she closed the public hearing at 8:28 PM.

Mr. Walz asked the applicant to address the letter. Mrs. Elliot said she had purchased the fourth riding horse unaware of the maximum animal allowance, and the pasture and barn were clean.

Ms. Dehart asked staff if a complaint was received by another neighbor, and what it was for. Ordinance Officer Hudson said the complaint was two-fold: the pasture was not sufficient for all of the animals, and the applicant exceeded the allowable number of Class II animals.

Ms. Elliot said she hired someone to clear more wooded area for the animals to have additional room. Mr. Elliot said work would be done to their backyard in the summer for even more room.

Mr. Walz MOVED to approve the variances requested by Maria Elliot from Article 4, Section 2 of the Zoning Ordinance for Parcel Number 12-16-401-024, identified as 2115 Haley Road, in order to allow four (4) Class II animals on a 3.01-acre lot. This approval will have the following conditions:

- **The Applicant shall comply with all necessary standards for the maintenance of Class II animals found in Article 4, Section 2 of the White Lake Township zoning ordinance.**
- **No additional Class II animals shall be maintained on the property**
- **The allowance for a fourth Class II animal shall expire upon the death of one of the existing animals on the property.**
- **The applicant shall provide the Township a veterinarian certified death certificate upon the passing of one of the existing animals.**

Mr. Powell SUPPORTED, and the MOTION CARRIED with a roll call vote (5 yes votes):

Walz: YES; for the reasons stated.

Powell: YES; the situation was unique.

Schillack: YES; there was not a precedent set.

Dehart: YES; for all the reasons stated.

Spencer: YES; the Zoning Board and staff worked with the applicants during the meeting for their unique situation.

Mr. Walz MOVED for a ten-minute recess. Mr. Powell supported. The Board returned at 9:11 p.m.

d.	Applicant:	Metro Detroit Signs 11444 Kaltz Avenue Warren, MI 48089
	Location:	9178 Highland Road White Lake, MI 48386 identified as 12-23-226-005
	Request:	The applicant requests to install a monument sign exceeding the allowed height, requiring a variance from Article 5.9.J.i, Regulations for Freestanding Signs in Non-Residential Districts.

Ms. Spencer noted for the record that 16 owners within 300 feet were notified. 0 letters were received in favor, 0 letters were received in opposition and 0 letters were returned undeliverable from the US Postal Service.

Staff Planner Quagliata gave his staff report. At the January 19 meeting the Township Board introduced the first reading of a series of zoning ordinance amendments. A provision of the sign ordinance being amended increased the maximum sign height from six feet to seven feet. After the Township Board adopts the zoning amendments at its February meeting, the proposed sign height would be conforming. The property owner was informed of this change to sign policy and asked to proceed with the variance request. Based on the increased sign height which would soon be permitted, staff recommended approval of the requested variance. With the amended ordinance, the sign height variance would be void. Granting the variance would allow the applicant to begin installing the sign in advance of the amended ordinance taking effect.

Chairperson Spencer opened the public hearing at 9:16 PM. Seeing no public comment, she closed the public hearing at 9:16 PM.

Mr. Powell MOVED to approve the variance requested by Metro Detroit Signs from Article 5.9.J.i of the Zoning Ordinance for Parcel Number 12-23-26-005, identified as 9178 Highland Road, in order to install a monument sign that would exceed the allowed height by 7.68 inches. This approval will have the following conditions:

- **The Applicant shall obtain all necessary permits from the White Lake Township Building Department.**
- **All nonconforming signs shall be removed from the property.**

Mr. Schillack SUPPORTED, and the motion carried with a roll call vote (5 yes votes)

Powell: YES.

Schillack: YES.

Spencer: YES.

Dehart: YES.

Walz: YES.

e.	Applicant:	James Stanecki
	Location:	8884 Cooley Lake Road White Lake, MI 48386 identified as 12-36-351-027
	Request:	The applicant requests to divide a parcel of land, requiring variances from Article 3.1.6.E, R1-D Single Family Residential Minimum Lot Area and Minimum Lot Width.

Ms. Spencer noted for the record that 37 owners within 300 feet were notified. 0 letters were received in favor, 0 letters were received in opposition and 0 letters were returned undeliverable from the US Postal Service.

Staff Planner Quagliata gave his staff report.

Ms. Dehart asked staff if the proposed lots would be serviced by sewer. Staff Planner Quagliata confirmed, the current house was serviced by sewer. Staff Planner Quagliata added the lots were combined around 1989.

Chairperson Spencer asked staff if the current parcel were divided, would two nonconforming lots be created. Staff Planner Quagliata confirmed.

Mr. Schillack asked staff what the side yard setbacks would be for the proposed lots. Staff Planner Quagliata said the applicant's intention was to build a house on the proposed Parcel B, and the applicant mentioned appearing before the Zoning Board of Appeals in the future for setback variances for said house.

Mr. Stanecki was present to speak on his case. He said he wanted to split the lot with the goal of building his retirement home. He added while the proposed lots would be nonconforming, his proposed split lots would be bigger than most lots on the lake.

Ms. Dehart asked staff if the lots could be split in accordance to the way they were originally platted. Staff Planner Quagliata said no, because reverting to the original plats would create a nonconforming house.

Chairperson Spencer opened the public hearing at 9:41 PM. Seeing no public comment, she closed the public hearing at 9:41 PM.

Mr. Walz MOVED to deny the variances requested by James Stanecki for Parcel Number 12-36-351-027, identified as 8884 Cooley Lake Road, due to the following reason(s):

- **The request was a self-imposed hardship.**

Mr. Schillack SUPPORTED, and the MOTION CARRIED with a roll call vote (5 yes votes):

Walz: YES; this was a self-imposed hardship and the applicant was not prevented from unreasonable access to his existing home.

Schillack: YES; this was a self-imposed hardship

Dehart: YES; this was a self-imposed hardship and the Zoning Board of Appeals could not create two nonconforming lots.

Powell: YES; there was no demonstration of practical difficulty and the situation was not unique. The situation was self-created and the applicant was able to expand his current home on his current lot.

Spencer: YES; this was a self-imposed hardship and the Zoning Board of Appeals was not denying the applicant substantial justice of his property.

f.	Applicant:	Matthew Slicker
	Location:	408 Burgess Drive White Lake, MI 48386 identified as 12-27-427-004
	Request:	The applicant requests to construct garage and living space additions to a single-family house, requiring variances from Article 3.1.5.E, R1-C Single Family Residential Side-Yard Setback and Minimum Lot Width. A variance from Article 7.28.A, Repairs and Maintenance to Nonconforming Structures will be required due to both the value of improvements and the increase in cubic content

Ms. Spencer noted for the record that 37 owners within 300 feet were notified. 0 letters were received in favor, 0 letters were received in opposition and 0 letters were returned undeliverable from the US Postal Service.

Staff Planner Quagliata gave his staff report.

Chairperson Spencer asked staff if the new garage would be in the same footprint of the existing garage. Staff Planner Quagliata said the garage would be increased in size and currently the wall was 4.8' from the side yard lot line, with the roof overhang around 3.8' from the side lot line. The new garage wall would be 6' from the side yard lot line, with the roof overhang 5' from the side lot line. The new garage would be 33' deep.

Mr. Schillack asked staff if the requested variances would increase or decrease the nonconformities of the lot. Staff Planner Quagliata said the nonconformities would be increased. He also added although the proposed plans would improve the side yard setback, the expansion of cubic content to the garage would be increasing the nonconformity.

Mr. Schillack asked staff how close would the proposed garage be to the neighboring house on the west. Staff Planner Quagliata said around 20'.

Mr. Slicker was present to speak on his case. He was seeking the requested variances in order to have a garage where he could store more than just his vehicle and boat. He wanted to create a second story above the garage to create additional living and storage space. There would be a staircase within the garage that would take up 3'-4' of the proposed 33' depth of the garage.

Mr. Walz asked the applicant if the garage was for additional storage and living space. Mr. Slicker confirmed. Mr. Walz asked staff if the storage and living space would be an issue. Staff Planner Quagliata said it would not.

Mr. Powell asked the applicant where the septic field was and where the tanks were. Mr. Slicker said the septic field was up the hill, and the septic tanks were 10' off the proposed garage wall.

Ms. Dehart asked the applicant where the proposed addition's staircase would be. Mr. Slicker said the opening of the staircase would be internal to the house, but the staircase itself would be in the garage.

Chairperson Spencer opened the public hearing at 10:03 PM. Seeing no public comment, she closed the public hearing at 10:03 PM.

Mr. Schillack MOVED to deny the variances requested by Matthew Slicker for Parcel Number 12-27-427-004, identified as 408 Burgess Drive, due to the following reason(s):

- **This was a self-imposed hardship.**

Mr. Powell supported and the MOTION CARRIED with a roll call vote (3 yes votes):

Schillack: YES; this was a self-imposed hardship.

Powell: YES; the situation was not unique and it was a self-imposed hardship.

Dehart: NO; the side yard setback would be improved.

Walz: NO; he believed a hardship existed and the encroachment into the setback would be reduced.

Spencer: YES; there was no practical difficulty.

Other Business

a. Bylaw Amendments

Staff Planner Quagliata said the bylaws had not been updated in over twenty years, and there were three major changes: the term limits for chair and vice chair were eliminated, business or public hearing would not be taken up after 10 PM without approval from the chair, and the agenda would be limited to six public hearings per meeting.

Mr. Schillack asked staff if meetings twice a month should be considered, as the meetings consistently had a full caseload in recent months. Staff Planner Quagliata suggested asking the Township Board to start meetings at 6:00 PM. Mr. Walz said commitments of the applicants and the rest of the Zoning Board of Appeals would need to be considered.

Mr. Schillack MOVED to approve the bylaws as presented. Ms. Dehart SUPPORTED and the motion CARRIED with a roll call vote (Schillack/yes, Dehart/yes, Spencer/yes, Walz/yes, Powell/yes).

b. Election of Officers

Mr. Schillack MOVED to elect Josephine Spencer as Chairperson of the Zoning Board of Appeals and David Walz as Vice Chairperson of the Zoning Board Appeals for 2021. Mr. Powell SUPPORTED and the motion CARRIED with a roll call vote (Schillack/yes Powell/yes, Dehart/yes, Spencer/yes, Walz/yes).

c. Survey Requirement Resolution

Mr. Schillack MOVED to approve the survey requirement resolution. Mr. Walz supported, and the MOTION CARRIED with a roll call vote (Schillack/yes, Powell/yes, Spencer/yes, Walz/yes, Dehart/yes).

Adjournment: Ms. Dehart MOTIONED to adjourn the meeting at 10:34 P.M. Mr. Walz SUPPORTED. All in favor.

Next Meeting Date: February 25, 2021