

**WHITE LAKE TOWNSHIP
ZONING BOARD OF APPEALS
APRIL 24, 2025**

CALL TO ORDER

Chairperson Spencer called the meeting to order at 6:30 P.M. She led the Pledge of Allegiance.

Roll was called:

ROLL CALL

Present:

Jo Spencer, Chairperson
Debby Dehart, Planning Commission Liaison
Niklaus Schillack, Vice Chairperson
Clif Seiber

Absent:

Steve Anderson, Township Board Liaison

Also Present:

Andrew Littman, Staff Planner
Nick Spencer, Building Official
Hannah Kennedy-Galley, Recording Secretary

APPROVAL OF AGENDA

MOTION by Member Schillack, seconded by Member Dehart, to remove case C from the agenda and approve the agenda as amended. The motion carried with a voice vote: (4 yes votes).

APPROVAL OF MINUTES

A. March 27, 2025

Member Seiber noted a correction on page 4, paragraph 4 - the word "sides" should be replaced with "signs".

MOTION by Member Seiber, seconded by Member Dehart, to approve the minutes as corrected. The motion carried with a voice vote: (4 yes votes).

CALL TO THE PUBLIC

None.

OLD BUSINESS

None.

NEW BUSINESS

A. Applicant: Michael Epley
6075 Carroll Lake Road

Commerce Township, MI 48382

Location: **10365 Degrand Street**

White Lake, Michigan 48386 identified as 12-27-451-012

Request: The applicant proposes to construct an addition onto a single-family home, requiring variances from Section 3.1.5. – Minimum Lot Width, Section 3.1.5.E. – Minimum Lot Area, Section 3.1.E. – Minimum Side Yard Setback, Section 3.1.E. – Maximum Lot Coverage, and Section 7.27 – Nonconforming Lots of Record.

Chairperson Spencer noted for the record that 21 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 U.S. Postal Service.

Staff Planner Littman reviewed his report.

Member Schillack asked staff if building envelopes are being requested on applicants' surveys. Staff Planner Littman said it isn't a requirement.

Member Schillack asked staff for the setback requirements that a structure needs to be from the septic field. Building Official Spencer said 10'.

Mike Epley, 6075 Carroll Lake Road, was present to speak on his case. The placement of the four-season room was due to the rear deck having access to the kitchen. The room would be narrow if the proposed addition had to be compliant with the 10' side yard setback. He added that the placement was chosen not to encroach on the septic tank, and the access door wall is closer to the offset.

Member Seiber asked Mr. Epley if there will be eavestroughs on the east side of the addition. Mr. Epley confirmed, and there will be eavestroughs on the west side. The overhang will be 6".

Chairperson Spencer opened the public hearing at 6:50 P.M. Seeing none, she closed the public hearing at 6:50 P.M.

Member Dehart asked staff for clarification on the setback from a foundation to the septic tank. Building Official Spencer said he will verify the setback with the Oakland County Environmental Health Division.

The ZBA discussed the standards from Article 7, Section 37 of the ClearZoning Ordinance:

A. Practical Difficulty

- Chairperson Spencer said the lot size is a practical difficulty. Member Seiber said the lot is deficient in both width and area.

B. Unique Situation

- Member Dehart said the lot size makes a unique situation.

C. Not Self-Created

- The applicant did not plat the lot.

D. Substantial Justice

- Member Seiber said neighbors had similar four-season rooms.

E. Minimum Variance Necessary

- Member Dehart said the addition was the minimum variance necessary.

Member Seiber MOVED to approve the variances requested by Michael Epley from Section 3.1.5 and Section 7.27 of the Zoning Ordinance for Parcel Number 12-27-451-012, identified as 10365 Degrand Street, in order to build a four-seasons room addition onto an existing single-family home. Variances from Section 3.1.5 are granted to allow for construction on a lot that is 10,392 square feet less than the minimum lot area, and 40 feet less than the minimum lot width, required in the RI-C zoning district. In addition, a variance from Section 3.1.5 is granted to allow for the four-seasons room addition to encroach 4.6 feet into the required eastern side yard setback. A variance from Section 7.27 of the Zoning Ordinance is granted to allow for development on a lot that does not meet the minimum Ordinance requirements for lot area and width. Lastly, a variance from Section 7.28.A of the Zoning Ordinance is granted to allow for an increase in cubic content of a nonconforming structure. This approval will have the following conditions:

- 1. The Applicant shall obtain all necessary permits from the White Lake Township Building Division**
- 2. In no event shall the projection of any roof overhang be closer than five feet to the side lot lines**
- 3. No mechanical units, including HVAC system or generator, shall be placed closer than five feet to any side yard lot line**
- 4. An as-built survey shall be required to verify the approved setbacks**

Member Dehart supported, and the motion carried with a roll call vote: (4 yes votes) (Seiber/yes, Dehart/yes, Spencer/yes, Schillack/yes).

- B. Applicant: Steve Mitchell
9049 Longcroft Drive
White Lake, MI 48386
Location: **9049 Longcroft Drive**
White Lake, Michigan 48386 identified as 12-35-481-001
Request: The applicant proposes to construct an addition onto a single-family home, requiring variances from Section 3.1.6.E.– Minimum Lot Width, Section 3.1.6.E.– Minimum Lot Area, Section 3.1.6. – Minimum Side Yard Setback, Section 3.1.6.E. – Maximum Lot Coverage, and Section 7.27 – Nonconforming Lots of Record.

Chairperson Spencer noted for the record that 23 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 U.S. Postal Service.

Staff Planner Littman reviewed his report.

Member Schillack asked staff why the deck is not in the building envelope. Staff Planner Littman said no.

Member Schillack asked staff about the disputed area on the survey. Building Official Spencer said the area was joined with the property around a year ago.

Steve Mitchell, 9049 Longcroft, was present to speak on his case. He has lived in the home for six months. He said the proposed structure will be a covered patio without walls. He wanted the addition to utilize the outdoor space on the lot.

Chairperson Spencer opened the public hearing at 7:12 P.M.

Carlo Ginotti, 9073 Longcroft, said the disputed area is no longer in dispute. He was in favor of the applicant's request.

Chairperson Spencer closed the public hearing at 7:15 P.M.

Mr. Mitchell said he can move the shed if needed.

The ZBA discussed the standards from Article 7, Section 37 of the ClearZoning Ordinance:

- A. Practical Difficulty
 - Member Dehart said the house is non-conforming, and there isn't a lot of space left on the site. Member Seiber said the placement sliding door makes a practical difficulty as well.
- B. Unique Situation
 - Chairperson Spencer said the practical difficulty made for a unique situation
- C. Not Self-Created
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- D. Substantial Justice
 - Member Seiber said other homeowners on the lake have covered patios.
- E. Minimum Variance Necessary
 - Member Seiber stated there are no overhangs or projections into the side yard setbacks.

Member Schillack MOVED to approve the variances requested by Steve Mitchell from Section 3.1.6, Section 7.27, and Section 7.28 of the Zoning Ordinance for Parcel Number 12-35481-001, identified as 9049 Longcroft Drive, in order to construct a covered patio addition onto an existing single-family home. Variances from Section 3.1.6 are granted to allow for construction on a lot that is 195 square feet less than the minimum lot area and 5 feet less than the minimum lot width required in the RI-D zoning district. In addition, variances from Section 3.1.6 are granted to allow the covered patio addition to encroach 5 feet into the required east side yard setback and for the lot coverage to exceed the maximum percentage allowed by 1.5 percent. A variance from Section 7.27 of the Zoning Ordinance is also granted to allow for development on a lot that does not meet the minimum Ordinance requirements for lot area and width. Lastly, a variance from Article 7.28 of the Zoning Ordinance is granted to allow for an increase in cubic content of a nonconforming structure. This approval will have the following conditions:

1. The Applicant shall obtain all necessary permits from the White Lake Township Building Division
2. In no event shall the projection of any roof overhang be closer than five feet to the side lot lines
3. No mechanical units, including HVAC system or generators, shall be placed closer than five feet to any side yard lot line
4. An as-built survey shall be required to verify the approved setback.
5. The shed shall be moved to a minimum of 5' from the west side yard property line and 25' from the seawall.

Member Seiber supported, and the motion carried with a roll call vote: (4 yes votes).
(Schillack/yes, Seiber/yes, Dehart/yes, Spencer/yes).

- C. Applicant: ~~Joshua Tauriainen~~
 ~~58415 10 Mile Road~~
 ~~South Lyon, MI 48178~~
 Location: **8285 Highland Road**
 ~~White Lake, MI 48386 identified as 12-13-455-024~~
 Request: ~~The applicant is seeking to redevelop an existing site for the purpose of~~
 ~~operating a used car dealership, requiring variances from Section 5.11.Q. — Off Street~~
 ~~Parking Space Layout, Standards, Construction and Maintenance; Section 5.11.M. —~~
 ~~Maximum Allowable Off Street Parking; Section 5.19.E. — Interior Landscaping~~
 ~~Requirements; and Section 5.19.G. — Parking Lot Landscaping.~~

OTHER BUSINESS

None.

NEXT MEETING DATE: May 22, 2025

ADJOURNMENT

MOTION by Member Schillack, seconded by Member Seiber, to adjourn at 7:26 P.M. The motion carried with a voice vote: (4 yes votes)