

**WHITE LAKE TOWNSHIP
ZONING BOARD OF APPEALS
AUGUST 28, 2025**

CALL TO ORDER

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

Roll was called:

ROLL CALL

Present:

Debby Dehart, Planning Commission Liaison
Jo Spencer, Chairperson
Niklaus Schillack, Vice Chairperson
Steve Anderson, Township Board Liaison
Clif Seiber

Also Present:

Nick Spencer, Building Official
Hannah Kennedy-Galley, Recording Secretary

APPROVAL OF AGENDA

**MOTION by Member Schillack, seconded by Member Anderson, to approve the agenda as presented.
The motion carried with a voice vote: (5 yes votes).**

APPROVAL OF MINUTES

A. July 24, 2025

Dilapidated

Member Schillack, seconded by Member Seiber to approve the minutes as corrected.

CALL TO THE PUBLIC

Mary Earley, 5925 Pine Ridge Court, spoke against the tragedy of mass shootings at schools and institutions country wide. She stated she hoped similar tragedy never makes it way to the White Lake community.

OLD BUSINESS

None.

NEW BUSINESS

A. Applicant: Edward Wenz
8756 Trenton Drive
White Lake, MI 48386

Location: **10918 Hillway Street**

White Lake, MI 48386 identified as 12-34-351-015

Request: The applicant seeks to convert an existing duplex to a single-family home, requiring variances from Section 3.1.6.E – Minimum Lot Width, Section 3.1.6.E –

Minimum Side Yard Setback, Section 7.23 – Nonconforming Structures, Section 7.27 – Nonconforming Lots of Record.

Chairperson Spencer noted for the record that 31 owners within 300 feet were notified. 0 letters were received in favor, 0 letters were received in opposition, and 1 letter was returned undeliverable from the U.S. Postal Service.

Director O’Neil reviewed his report.

Member Seiber asked staff about the ROW on I. He asked if the eastern side yard would be considered a front yard frontage since it was originally platted as Lakeside Road. Director O’Neil said no, a road will never be extended through and so the eastern is considered a side yard as it’s been historically used as lake access.

Edward Wenz, property owner, was present to speak on behalf of his case. He said he wanted to eliminate the duplex on the property by converting it into a single-family house. He reiterated that the lake access to the west was deeded as a lake access lot for the neighborhood. He said the first floor will remain the same, and the second floor will be remodeled to be more compliant building code and zoning wise.

Member Seiber asked the applicant if the soffits were being eliminated on the western side of the lot. Mr. Wenz confirmed, the architect re-designed the plans, and the soffits would be flattened on that side to gain more conformity.

Chairperson Spencer opened the public hearing at 6:54 P.M. She read one letter in favor of the applicant’s request.

Kevin Williamson, 10834 Hillway, Oak Ridge HOA President, clarified that the easement was abandoned by the Road Commission and the easement was split between the two properties to the west and east of the easement. Those property owners in turn deeded the easement to the residents of the neighborhood to use as lake access. It will never be a road again if the neighbors keep up the maintenance of the property.

Chairperson Spencer closed the public hearing at 6:57 P.M.

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

A. Practical Difficulty

- Member Seiber said the lot width and the current house make for a practical difficult.

B. Unique Situation

- Member Dehart reiterated that the lot width made for a unique situation.

C. Not Self-Created

- The applicant did not construct the original house or plat the lot.

D. Substantial Justice

- Member Schillack said it allows the property owner to use the house as the surrounding neighbors use theirs.

E. Minimum Variance Necessary

- Member Dehart said the applicant was improving the setback on the west side.

Member Schillack MOVED to approve the variances requested by Edward Wenz from Section 3.1.6 and 7.23 of the Zoning Ordinance for Parcel Number 12-34-351-015 identified as 10918 Hillway Street, to build a second story addition onto the existing structure. Variances from Section 3.1.6 are granted to allow for construction on a lot that is 23 feet less than the minimum lot width required in the R1-D zoning district, and for both east and west side yard setbacks which will result in variances of 4.0 feet and 4.6 feet respectively. Finally, a variance from Section 7.23 is also granted to allow for the enlargement of a non-conforming structure. This approval has the following conditions:

- 1. The Applicant shall obtain all necessary permits from the White Lake Township Building Division and Department of Public Services, as well as the Oakland County Health Division.**
- 2. No mechanical units, including an HVAC system or generator, shall be placed in the front yards or closer than five (5) feet to any side yard lot line or rear lot line.**
- 3. Per Section 5.3, all portions of the proposed structure (including the roof/soffits/ gutters) shall be setback a minimum of five (5) feet from the property lines.**
- 4. This structure must be converted into a single-family residence.**

Member Dehart SUPPORTED, and the motion carried with a roll call vote: (5 yes votes). Schillack/yes, Dehart/yes, Anderson/yes, Spencer/yes, Seiber/yes).

- B. Applicant: Jasdeep Dhariwal
 2290 Kingston
 White Lake, MI 48386
 Location: **2290 Kingston**
 White Lake, MI 48386 identified as 12-14-233-007
 Request: The applicant seeks to build an elevated deck onto the rear of the existing single-family home, requiring a variance from Section 3.11.Q – Notes to District Standards.

Chairperson Spencer noted for the record that 24 owners within 300 feet were notified. 3 letters were received in favor, 0 letters were received in opposition, and 0 letters were returned undeliverable from the U.S. Postal Service.

Director O'Neil reviewed his report.

Kyle Gonzalez, representing the applicant, was present to speak on the case. He said the lot shape presented a hardship along with the topography of the lot. There is over 6' of fall between the stairs of the deck and the lakefront. He added the property owner did not work with the builder on the design of the home. He added it is a multi-generational household, and the proposed deck would be the main way for disabled/elderly family to enjoy the water. The aesthetics will improve on the lakeside and break up the masonry on that side of the home.

Member Seiber asked Mr. Gonzalez to confirm the height of the deck to the ground surface. Mr. Gonzalez said 9' to the bottom of the decking. Member Seiber asked what the surface of the ground floor would be. Mr. Gonzalez said concrete, and the proposed ground floor will not be as large as the current ground floor.

Chairperson Spencer opened the public hearing at 7:16 P.M. She read three letters in favor of the applicant's request into the record.

Chairperson Spencer closed the public hearing at 7:18 P.M.

Member Seiber stated he remembered the original ZBA case. He saw the applicant's issue with getting a deck on the property due to the lake orientation in relation to the house.

Member Anderson said the property being on sewer adds more reassurance when considering the applicant's requested variance.

Member Seiber stated for the applicant to comply with the ordinance, the resulting deck would be small and oddly shaped.

Member Schillack said he felt better knowing the neighbors were in support of the applicant's request, as he was concerned about the lake views being blocked.

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

- A. Practical Difficulty
 - Member Dehart said the orientation of the house in relation to the lake created practical difficulty constructing a usable deck.
- B. Unique Situation
 - Member Seiber reiterated the house's orientation in relation to the lake made for a unique situation.
- C. Not Self-Created
 - The applicant did not construct the original house or plat the lot.
- D. Substantial Justice
 - Member Seiber said the neighbor to the west has the same encroachment with a covered deck and enjoys the same entertainment the applicant would.

E. Minimum Variance Necessary

- Member Seiber said the lot's narrowness and the plans presented made for a minimum variance necessary.

It was MOVED by Member Anderson to approve the variance requested by Jasdeep Dhariwal from Section 3.11.Q of the Zoning Ordinance for Parcel Number 12-14-233-007, identified as 2290 Kingston, in order to construct an addition to the existing elevated deck. A variance from Section 3.11.Q is granted to allow for construction of said structure that will encroach 7.6 feet into the required 25 foot "natural features" setback. This approval has the following conditions:

- 1. The Applicant shall obtain all necessary permits from the White Lake Township Building Division and the Oakland County Health Division.**
- 2. No mechanical units, including an HVAC system or generator, shall be placed in the front yards or closer than five (5) feet to any side yard lot line or rear lot line.**
- 3. A foundation certificate shall be required prior to vertical construction.**
- 4. An as-built survey shall be required to verify the approved setback variance.**
- 5.**

Member Schillack SUPPORTED, and the motion carried with a roll call vote: (5 yes votes) (Anderson/yes, Schillack/yes, Seiber/yes, Spencer/yes, Dehart/yes).

- C. Applicant: Michelle Spencer
 8200 Carpathian Drive
 White Lake, MI 48386
 Location: **Vacant – Lake Jason Drive**
 White Lake, MI 48386 identified as 12-34-426-003
 Request: The applicant seeks to construct a single-family home, on a vacant parcel, requiring a variance from Section 3.1.2.F – Minimum Front Yard Setback.

Chairperson Spencer noted for the record that 13 owners within 300 feet were notified. 3 letters were received in favor, 0 letters were received in opposition, and 0 letters were returned undeliverable from the U.S. Postal Service.

Director O'Neil reviewed his report.

Michelle Spencer, property owner, was present to speak on her case. She stated while the lot is rectangular in shape, the wetland encompasses most of it. Her main reason to use the T turn over the cul-de-sac is to be a better neighbor to the current adjacent neighbors, who have a paved road, and a cul-de-sac would encroach on said neighbor's driveway.

Member Dehart asked if there was a road maintenance agreement. Ms. Spencer said yes, it's more of a handshake agreement, and there is one other neighbor who uses the drive who maintains the road. She added she has met with the neighbors, and they have a good relationship.

Chairperson Spencer opened the public hearing at 7:34 P.M. Seeing none, she closed the public hearing at 7:34 P.M.

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

- A. Practical Difficulty
 - Member Dehart said the wetland and the location of neighbor's house made for practical difficulty.
- B. Unique Situation
 - Member Seiber said the cul-de-sac easement and the wetlands made for a unique situation.
- C. Not Self-Created
 - It was not self-created.
- D. Substantial Justice
 - Member Dehart said the neighbor's house was much closer to the road.
 - Member Schillack said the proposal would not adversely impact the neighbor.
- E. Minimum Variance Necessary
 - Member Dehart said the applicant requested the minimum variance necessary.

Member Seiber MOVED to approve the variance requested by Michelle Spencer from Section 3.1.2 of the Zoning Ordinance for Parcel Number 12-34-426-003, a vacant parcel on Lake Jason Drive, to build a new single-family residence. A variance from Section 3.1.2 is granted to allow for construction of said structure that will encroach 7.0 feet into the required front yard setback. This approval has the following conditions:

- 1. The Applicant shall obtain all necessary permits from the White Lake Township Building Division and the Oakland County Health Division.**
- 2. No mechanical units, including an HVAC system or generator, shall be placed in the front yards or closer than five (5) feet to any side yard lot line or rear lot line.**
- 3. A foundation certificate shall be required prior to vertical construction.**
- 4. An as-built survey shall be required to verify the approved setback variance.**
- 5. A T-turn around must be constructed on site, as shown in the survey provided, to a standard that is consistent with the requirements of the Zoning Ordinance and acceptable to the Fire Department, prior to granting an occupancy permit.**

**Member Dehart SUPPORTED and the motion carried with a roll vote: (5 votes).
(Seiber/yes, Dehart/yes, Anderson/yes, Spencer/yes, Schillack/yes).**

OTHER BUSINESS

None.

NEXT MEETING DATE: November 13, 2025

ADJOURNMENT

MOTION by Chairperson Spencer, seconded by Member Anderson to adjourn at 7:42 P.M. The motion carried with a voice vote: (5 yes votes).