

WHITE LAKE TOWNSHIP  
ZONING BOARD OF APPEALS-REGULAR MEETING  
**JULY 23, 2020**  
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:

ROLL CALL:            Debby Dehart  
                             Mike Powell  
                             Nik Schillack  
                             Clif Seiber  
                             Dave Walz – Vice Chair, Excused  
                             Josephine Spencer –Chairperson

Also Present:            Justin Quagliata, Staff Planner  
                             Hannah Micallef, Recording Secretary

Visitors:                1

**Approval of the Agenda:**

**Mr. Powell MOTIONED to approve the agenda as presented. Mr. Schillack supported and the MOTION CARRIED with a voice vote (5 yes votes).**

**Approval of Minutes:**

Zoning Board of Appeals Regular Meeting June 25, 2020.

**Mr. Schillack noted that on the top of page 8, there was a typo. Ms. Dehart MOTIONED to approve the regular meeting minutes of June 25, 2020 as amended. Mr. Seiber supported and the MOTION CARRIED with a voice vote (5 yes votes).**

**New Business**

- a.     Applicant:    Andre’ B. Neumann  
                             267 Lakeview Drive  
                             White Lake, MI 48386
- Location:    **267 Lakeview Drive**  
                             White Lake, MI 48386 identified as 12-26-179-029
- Request:     The applicant requests to construct an addition on an existing one-story house, requiring a variance from Article 3.1.6.E, R1-D Single Family Residential Front-Yard Setback and Article 7.28.A, Repairs and Maintenance

is required due to the value of improvements and increase in cubic content on a nonconforming structure.

### **Property Description**

The approximately 0.421-acre (18,338.76 square feet) parcel identified as 267 Lake View Drive is located within the Cedar Crest No.1 Subdivision and zoned R1-D (Single Family Residential). The existing house on the property (approximately 772 square feet in size) utilizes a private well for potable water and a private septic system for sanitation. The corner lot also contains frontage on Bramblebrae Drive and the majority of the site driveway is located in the Lake View Drive right-of-way.

### **Applicant's Proposal**

Andre' B. Neumann, the applicant, is proposing to construct a two-story addition to the existing single-story house and has indicated the foundation for the proposed addition would be slab-on-grade.

### **Planner's Report**

The existing house was built in 1927 and is considered nonconforming because it does not meet the 30-foot front yard setback. The proposed 1,027.80 square foot two-story addition would connect the existing house on the south side of the property with a detached garage on the north side of the property. At its closest point the proposed addition would encroach 19.6 feet into the required 30-foot front yard setback.

The garage would be part of the principal structure if connected with the proposed addition, and therefore would be subject to the principal structure setback requirements of the R1-D zoning district. The garage would be considered nonconforming if it becomes part of the house because it does not meet the 30-foot front yard setback.

Article 7.28 of the zoning ordinance states maintenance to nonconforming structures cannot exceed fifty percent (50%) of the State Equalized Valuation (SEV) in repairs in any period of twelve (12) consecutive months. Further, the ordinance does not allow the cubic content of nonconforming structures to be increased. Based on the SEV of the structure (\$62,260), the maximum extent of improvements cannot exceed \$31,130. The value of the proposed work is \$100,000. A variance to exceed the allowed value of improvements by 321% is requested.

Mr. Neumann was present. He said that his house was too small, and the only option to make the house bigger would be the addition. The addition would be 2' farther from the property than the existing house.

Ms. Spencer asked if the Planning Commission needed to review the section of the ordinance regarding SEV and nonconforming structures. Mr. Powell spoke with the Planning Department, and they were reviewing this matter. He also added that many of the older structures exceed the maximum amount of

percent improvement. All situations are all different, but with this case, the applicant would have to rebuild their home and subsequently change their well and septic field build in compliance

Ms. Dehart said this same topic was brought up last meeting. Each case was considered by the ZBA individually, and stands on its own.

Ms. Spencer noted for the record that 27 owners within 300 feet were notified. No letters were received in favor, 0 letters were received in opposition and 0 letters were returned undeliverable from the US Postal Service.

Ms. Spencer opened the public hearing at 7:14 P.M. Seeing none, she closed the public hearing at 7:14 P.M.

Mr. Seiber asked staff if the 19.6' variance was required because the addition would be attached to the garage? Mr. Quagliata confirmed the variance was for the addition, and when the project was completed the garage would be attached to the house. The side yard setback would be met, the front setback would not be met.

Mr. Powell pointed out that in this case, although the applicant didn't point it out specifically, the site plan showed an odd road right-of-way. It jogged in front of the applicant's house and moved toward the home. The requested variance would have been reduced if the right-of-way were more normal. This created a unique circumstance.

**Mr. Seiber MOTIONED** to approve the variances requested by Andre' Neumann from Article 3.1.6.E and Article 7.28.A of the Zoning Ordinance for Parcel Number 12-26-179-029, identified as 267 Lake View Drive, in order to construct an addition that would encroach 19.6 feet into the required front yard setback and exceed the allowed value of improvements to a nonconforming structure by 321%. This approval will have the following conditions:

Variance #	Ordinance Section	Subject	Standard	Requested Variance	Result
1	Article 3.1.6. E	Front yard setback	30 feet	19.6 feet	10.4 feet
2	Article 7.28. A	Nonconforming structure	50% SEV (\$31,130)	321%	\$68,870 over allowed improvements

- The Applicant shall obtain all necessary permits from the White Lake Township Building Department

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

**Powell: YES, there was a non self-imposed hardship due to an inconsistent right of way line, the addition would be an improvement for the applicant and the entire neighborhood.**

**Schillack: YES, for the reasons stated and he appreciated the applicants working with the Township.**  
**Seiber: YES, the addition would not encroach closer to the front lot line than the existing house.**  
**Spencer: YES, for the reasons stated.**

- b.** Applicant: Gary Fulkerson  
10185 Elizabeth Lake Road  
White Lake MI, 48386
- Location: **10185 Elizabeth Lake Road**  
White Lake, MI 48386 identified as 12-27-227-013
- Request: The applicant requests to construct an addition, requiring a variance from Article 3.1.5.E, R1-C Single Family Residential Side-Yard Setback and Article 7.28.A, Repairs and Maintenance is required due to the value of improvements and increase in cubic content on a nonconforming structure.

### **Property Description**

The 0.606-acre (26,400 square feet) parcel identified as 10185 Elizabeth Lake Road is located within the Baker Beach No. 1 subdivision and zoned R1-C (Single Family Residential). The existing house on the property (approximately 2,067 square feet in size) utilizes a private well for potable water and a private septic system for sanitation.

### **Applicant's Proposal**

Gary Fulkerson, the applicant, is proposing to construct an addition to the existing house and has indicated the foundation for the proposed addition would be slab-on-grade.

### **Planner's Report**

The existing house was built in 1951 and is considered nonconforming because it does not meet the 10-foot side yard setback or the 35-foot front yard setback. In 2012 the Zoning Board of Appeals approved variances to expand the nonconforming structure with an addition and attached garage. The following variances were previously granted:

- 20-foot variance from required lot width
- 13-foot variance from the front yard setback
- 4.15-foot variance from the west side yard setback
- 3.9-foot variance from the distance to the neighbors (applicant's contribution to total of 20 feet)

The proposed addition would be 690 square feet in size and would encroach 4.15 feet into the required 10-foot side yard setback and, while expanding the nonconformity, would maintain the 5.85-foot west side yard setback approved in 2012.

Article 7.28 of the zoning ordinance states maintenance to nonconforming structures cannot exceed fifty percent (50%) of the State Equalized Valuation (SEV) in repairs in any period of twelve (12) consecutive months. Further, the ordinance does not allow the cubic content of nonconforming structures to be increased. Based on the SEV of the structure (\$136,670), the maximum extent of improvements cannot exceed \$68,335. The value of the proposed work is \$75,000. A variance to exceed the allowed value of improvements by 110% is requested.

Mr. Powell asked the applicant where in relation to the home was the septic field located? Mr. Fulkerson was present, and said the addition would be located 10' from the septic field.

Mr. Fulkerson said the house was less than 6' from the property line. The house was initially built as a cottage and was 1 bedroom, and the addition would be an ensuite.

Ms. Dehart asked staff if the requested variance was consistent with the variance granted in 2012 for the side yard setback? Mr. Quagliata confirmed.

Ms. Spencer noted for the record that 24 owners within 300 feet were notified. No letters were received in favor, 0 letters were received in opposition and 0 letters were returned undeliverable from the US Postal Service.

Ms. Spencer opened the public hearing at 7:29 P.M. Seeing none, she closed the public hearing at 7:30 P.M.

Mr. Powell commended the applicants; he was impressed with the architecture and details of the home. He pointed out that there may have been miscalculation on the value of the property. The value of the addition did not seem over 50% of the value of the house. Mr. Quagliata pointed out the amount in question was the SEV, not the market value.

Mr. Shillack **MOTIONED** to approve the variances requested by Gary Fulkerson from Article 3.1.5.E and Article 7.2.A of the Zoning Ordinance for Parcel Number 12-27-227-013, identified as 10185 Elizabeth Lake Road, in order to construct an addition that would encroach 4.15 feet into the required side yard setback and exceed the allowed value of improvements to a nonconforming structure by 110%. This approval will have the following conditions:

- The Applicant shall obtain all necessary permits from the White Lake Township Building Department.

Variance #	Ordinance Section	Subject	Standard	Requested Variance	Result
1	Article 3.1.5. E	Side yard setback	10 feet	4.15 feet	5.85 feet

2	Article 7.28. A	Nonconforming structure	50% (\$68,335)	110%	\$6,665 over allowed improvements
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**Ms. Dehart supported the motion, and the MOTION CARRIED with a roll call vote (5 yes votes):**

**Dehart: YES, because the addition would not exceed the side yard setback that existed on the property and the addition would be an improvement to the structure.**

**Schillack: YES, for the reasons stated, and the addition would be an improvement to the neighborhood.**

**Powell: YES, for the reasons stated.**

**Seiber: YES, the approval would be consistent with the variance granted in 2012.**

**Spencer: YES, the addition was an improvement for the applicants and the neighborhood.**

- c.) Applicant: Jim Wolfenbarger  
 2355 Ridge Road  
 White Lake MI, 48386
- Location: **2355 Ridge Road**  
 White Lake, MI 48386 identified as 12-18-151-024
- Request: The applicant requests to demolish the existing house and detached garage and construct a new house with an attached garage, requiring a variance from Article 3.1.6.E, R1-D Single Family Residential Side-Yard Setback.

**Property Description**

The 0.341-acre (14,337 square feet) parcel identified as 2355 Ridge Road is located on White Lake within the England Beach No. 1 subdivision and zoned R1-D (Single Family Residential). The existing house on the property (approximately 1,152 square feet in size) utilizes a private well for potable water and a private septic system for sanitation.

**Applicant’s Proposal**

Jim Wolfenbarger, the applicant, is proposing to demolish the existing house and detached garage and construct a new house with an attached garage totaling 3,578 square feet in size.

**Planner’s Report**

On May 23, 2019 the Zoning Board of Appeals approved a variance request from the applicant to construct the house. Variances are valid for a period of six months from the date of approval, unless a building permit is obtained within such period and the work associated with the variance is started and proceeds to completion in accordance with the terms of the building permit. The applicant did not

obtain a building permit within six months of approval so the variance expired and is void. The following variances were previously granted:

- 3-foot variance from the north side yard setback
- 40-foot variance from the required lot width

On July 25, 2019 the Zoning Board of Appeals denied a variance request to allow a covered deck/porch to encroach five feet into the south side yard setback.

The request had not changed since the 2019 approval, with the exception that the deck/porch would not be covered.

The lot width variance was not being requested because it was associated with the land, not the structures or setback.

Ms. Spencer asked staff about the nonconforming boathouse. Part of the boathouse may extend over the property or be on the property line. Mr. Quagliata added the boathouse appeared to overhang the side lot line. Ms. Spencer asked staff if the ZBA would be in violation by requiring the boathouse to be in compliance. Mr. Quagliata said the ZBA had the authority to make that a condition of the motion.

Mr. Powell asked staff if the ordinance allowed structures like boathouses between a house and lake? Mr. Quagliata said the current ordinance did not allow boathouses, so any accessory structure would need to be 25' from the lake and 5' from the side lot line.

Ms. Dehart had concerns about the boathouse, since the original house was going to be demolished and a new house built in its place. Mr. Quagliata said this case was an opportunity to make the boathouse compliant. The scope of work may lend itself to requiring the boathouse be brought into compliance.

Jim Wolfenbarger was present via phone. He explained boathouses were a common structure along the shoreline. The deck on the top of the boathouse extended over the property line, and by removing the deck, the structure would be contained on the property. The boathouse was built into the hill side, and if removed, retaining the hillside would be an issue.

Mr. Schillack had questions regarding the height of the proposed house. Mr. Wolfenbarger said there was not a height variance being requested. He also added the air conditioner would be located on the south side of the house to accommodate neighbor's concerns of placement.

Ms. Spencer noted for the record that 23 owners within 300 feet were notified. No letters were received in favor, 0 letters were received in opposition and 0 letters were returned undeliverable from the US Postal Service.

Ms. Spencer opened the public hearing at 7:51 P.M.

Mike Liubakka, Beth Hanlon, 2365 Ridge Road. He submitted a letter of opposition directly to the Planning Department and discussed the communication.

Ms. Spencer closed the public hearing at 7:55 P.M.

Ms. Dehart asked the applicant if the 3' variance for the side yard setback on the north side could be spilt to 1.5' on both sides. Mr. Wolfenbarger said it could be considered. The south side yard was left open for the air conditioner. The plan had changed several times, and he had tried to accommodate the neighbors especially in regard to the house setback from the traverse line. He had been waiting on a final decision from the homeowners, and that was why the variance expired. He asked if the ZBA would consider a combined total of 17' on both sides, 7' minimum on one side.

Mr. Schillack said he was uncomfortable allowing ranges of feet.

Mr. Powell said the request was not published in a way that allowed the ZBA to consider a total combined setback.

Ms. Dehart asked the applicant if there was a reason the 3' was requested on the north side. Mr. Wolfenbarger said the existing home and front entry were on the north side. The homeowners wanted the new house to retain that configuration.

Mr. Powell asked the applicant what the existing home's setbacks were. Mr. Wolfenbarger said the home was 5' from the north side, and the new house would be back 2' further. The existing setback on the south sides was 5' and 10'.

Mr. Seiber was concerned with the boathouse deck, and stated it needed to be removed to eliminate the encroachment on the neighbor's property.

Mr. Powell said the homeowners to the north had a view of the lake that not many others had. They had a view overtop of the existing structure. He didn't believe the height of the building was an issue. He also added that boathouses are not permitted anymore, and he would consider it a removal of history if the whole structure was removed. He said the roof needed to be pulled back. He said were on the property line. If the tree was on the property to the north, special care needed to be put in place to save it. If the tree started to die, one of the homes could potentially be crushed. He was comfortable with the house setback from the lake. He stated the air conditioner needed to be on the south side of the house, and wanted the motion to include downspouts so the storm water directed to the lake.

**Mr. Powell MOTIONED** to approve the variance requested by Jim Wolfenbarger from Article 3.1.6.E of the Zoning Ordinance for Parcel Number 12-18-151-024, identified as 2355 Ridge Road, in order to construct a new house that would encroach 3 feet into the required side yard setback. This approval will have the following conditions:



- The Applicant shall obtain all necessary approvals from the Oakland County Health Division prior to issuance of a building permit.
- The Applicant shall obtain all necessary permits from the White Lake Township Building Department.
- The new house setback from the lake shall be 45 feet from the traverse line.
- Any mechanical units shall be placed on the south side of the house.
- A discussion be held with the neighbor to the north regarding the future of the tree on the property line.
- The deck over top of the boathouse be cut back to have no encroachment off the north lot line.
- Gutters, downspouts and a storm line be placed on both sides of the new house and directed down the hill to eliminate water problems between properties and to prevent erosion of the hill.

Variance #	Ordinance Section	Subject	Standard	Requested Variance	Result
1	Article 3.1.6. E	Side yard setback	10 feet	3 feet	7 feet

**Mr. Seiber supported, and the motion carried with a roll call vote (5 votes):**

**Powell- YES, there was a hardship due to the small lot and a hill on the property. The applicant had worked hard minimize the encroachment into to the setback and had worked with the neighbors on both sides. Practical difficulty has been proven.**

**Dehart- YES, for the reasons stated and the fact the existing home encroaches 5’ into the setback currently, and the new home would reduce the encroachment.**

**Seiber- YES, the new house was an improvement and the current side yard is setback on the north was 5’, and will be improved to 7’.**

**Shillack- YES.**

**Spencer- YES, there was a hardship and for all other reasons stated.**

- d. Applicant: John Rossi  
 10974 Hillway Drive  
 White Lake, MI 48386
- Location: **10974 Hillway Drive**  
 White Lake, MI 48386 identified as 12-34-351-009
- Request: The applicant requests to construct an addition on an existing two-story house, requiring a variance from Article 3.1.6.E, R1-D Single Family Residential Side-Yard Setback and Article 7.28.A, Repairs and

Maintenance is required due to the value of improvements and increase in cubic content on a nonconforming structure.

### **Property Description**

The approximately 0.463-acre (20,168.28 square feet) parcel identified as 10974 Hillway Drive is located on Sugden Lake and zoned R1-D (Single Family Residential). The existing house on the property (approximately 1,055 square feet in size) utilizes a private well for potable water and a private septic system for sanitation.

### **Applicant's Proposal**

John Rossi, the applicant, is proposing to construct an addition to the existing house. An existing garage and breezeway were removed to construct the addition.

### **Planner's Report**

The existing house was built in 1920 and is considered nonconforming because it is located 1.63 feet from the east property line. Article 7.23 of the zoning ordinance states nonconforming structures may not be enlarged or altered in a way which increases its nonconformity. The proposed two-story addition (including the 800 square foot attached garage) would be 3,087 square feet in size and at its closest point would encroach 1.24 feet into the required 10-foot side yard setback.

Article 7.28 of the zoning ordinance states maintenance to nonconforming structures cannot exceed fifty percent (50%) of the State Equalized Valuation (SEV) in repairs in any twelve (12) consecutive months. Further, the ordinance does not allow the cubic content of nonconforming structures to be increased. Based on the SEV of the structure (\$141,370), the maximum extent of improvements cannot exceed \$70,685. The value of the proposed work is \$200,000. A variance to exceed to exceed the allowed value of improvements by 283% is requested.

Mr. John Rossi was present. He said the issue was the northwest corner of the addition was within 10' setback. He was unaware of the limit of improvements to nonconforming structures. He couldn't move the addition closer to the road due the septic field. He decided to keep the addition in line with the front of the house. The southwest corner of the addition would be located 15' from the west property line.

Mr. Seiber said the addition was angled toward the west property line, and asked the applicant if the addition could be angled or adjusted just on the corner? Mr. Rossi said to meet the 10' setback he'd lose 1/3 of the addition. Mr. Quagliata said the addition would only have to be moved in the northwest corner so that portion met the setback.

Mr. Powell said if the addition was reconfigured, the setback variance would be reduced on the side in question. Mr. Powell said if the easterly wall of the existing house was moved west, a new exterior wall could be constructed in a location that would eliminate the existing setback problem on the east side. If the setback problems could be eliminated or reduced, the variance regarding the limit of improvements to nonconforming structures wouldn't be needed.

Ms. Spencer noted for the record that 26 owners within 300 feet were notified. No letters were received in favor, 0 letters were received in opposition and 0 letters were returned undeliverable from the US Postal Service.

Ms. Spencer opened the public hearing at 8:42 P.M.

Derek and Jackie Gismondi, 10994 Hillway. They are the neighbors to the west. They had no objections to the project.

Ms. Spencer closed the public hearing at 8:44 P.M.

Mr. Quagliata clarified the ordinance required 20' combined for side yard setbacks. In this case, because the house was 1.63' from the east property line, the ZBA did not have the authority to grant the 10' variance to get the total contribution to 20'. If the house was at least 5' away from the east property line, there would be another variance required to get the total combined side yard setbacks to 20'. The ZBA could grant a variance for the west side.

Ms. Dehart asked since the original structure was log, if the applicant wanted to do anything to the log, would they be able? Mr. Quagliata said if the house needed to be reconstructed, it would need to be located at least 5' from the lot line, and a variance would be needed. Mr. Powell said the eastern wall could be maintained, but major structural changes could not be made.

Mr. Powell said there was a possibility the side property line could be moved to make a 5' setback, which could create another problem if the house to the east didn't meet the setback from the side property line.

Ms. Dehart asked the applicant if the addition would be log sided? Mr. Rossi said he would have liked to reuse what was on the west wall for the addition, but the siding was half logged, so he would use a product for the whole house, including the east wall. He didn't want to leave one wall with the older log siding.

Mr. Quagliata said according to the submitted survey the house to the east was 15' from the common property line. Relocating the property line to the east to make a 5' setback would still be nonconforming, but the setback would be closer to compliance. In the future, the current applicant may sell both properties to different families. The ZBA could take that into consideration to make the setback situation safer for future owners.

Mr. Powell asked staff if the boundary line adjustment would change lot coverage or lot width for the property to the east? Mr. Quagliata said the neighboring lot to the east was just under 57' in width, so it was nonconforming by 23'. If the property line was shifted east a few feet at the street line to make the subject structure closer to compliance with the side yard setback, the neighboring lot would be more nonconforming in width.

Mr. Powell said a 10' corridor between homes was what the Fire Department wanted for safety reasons. Mr. Quagliata said a boundary line adjustment could ensure a minimum 10' setback between structures.

Mr. Rossi said he didn't think the east side yard setback would be an issue. Mr. Quagliata said at almost 300% over the allowed value of improvements, the house could be demolished and rebuilt in conformance with the ordinance. By addressing the situation in this manner, rationale for granting the variance could be because an improvement was being made to the east side yard setback.

Mr. Seiber said the variance being requested at the northwest corner of the addition was small and he was not uncomfortable with the request.

Mr. Rossi said he needed more property on the east side, and his advantage was that he owned the lot on the east side. His concern was if he took property from that lot, such as 3.5', it would reduce the amount of lake frontage. Mr. Powell said the intent was to shift the angle to not reduce the lake frontage, and to make sure the shift provided 5' off the corner of the existing house. Since the neighbor to the west supported the project, he was not concerned about the setback at the northwest corner as long as the setback issue on the east side was taken care of.

Ms. Dehart said the boundary line adjustment could be an excellent way to resolve the east side setback issue.

Mr. Powell added if Mr. Rossi didn't own the property to the east, the discussion would be completely different.

Mr. Powell **MOTIONED** to approve the variances requested by John Rossi from Articles 3.1.6.E and 7.28.A of the Zoning Ordinance for Parcel Number 12-34-351-009, identified as 10974 Hillway Drive, in order to construct an addition that would encroach 1.24 feet into the required side yard setback and exceed the allowed value of improvements to a nonconforming structure by 283%. This approval will have the following conditions:

- The Applicant shall obtain all necessary permits from the White Lake Township Building Department.
  - Prior to issuance of building permits, the applicant shall make application to the Assessing Department for a lot split and combination to change the common lot line between the applicants two parcels identified as 12-34-351-009 and 12-34-351-010 to create at least a 5' setback from the northeast corner of the subject house.

Variance #	Ordinance Section	Subject	Standard	Requested Variance	Result
1	Article 3.1.6. E	Side yard setback	10 feet	1.24 feet	8.76 feet
2	Article 7.28. A	Nonconforming structure	50% SEV (\$70,685)	283%	\$129,315 over allowed improvements

**Mr. Schillack supported, and the motion carried with a roll call vote (5 votes):**

**Dehart- YES, the boundary line adjustment would make the nonconforming situation better.**

**Powell- YES, the configuration of the lot created a hardship in regards to improvements. The reconfiguration of the lot line reduced the nonconformity of the current structure.**

**Schillack- YES, the boundary line adjustment was an improvement to the area and a good example of foresight and thinking forward on situations.**

**Seiber- YES, for the reasons stated.**

**Spencer- YES, the applicant was willing to take care of a possible dangerous situation, the Fire Department would now have adequate access to both properties.**

**Other Business:**

None.

**Adjournment:** Ms. Dehart **MOTIONED** to adjourn the meeting at 9:25 P.M. Mr. Seiber supported. All in favor.

**Next Meeting Date:** August 27, 2020

**WHITE LAKE TOWNSHIP  
ZONING BOARD OF APPEALS**

**REPORT OF THE  
COMMUNITY DEVELOPMENT DEPARTMENT**

**TO:** Zoning Board of Appeals  
**FROM:** Justin Quagliata, Staff Planner  
**DATE:** September 10, 2020

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**Agenda item:** 6a

**Appeal Date:** September 10, 2020

**Applicant:** Donna Marie & James Bauer

**Address:** 2039 Ridge Road  
White Lake, MI 48383

**Zoning:** R1-D Single Family Residential

**Location:** 2039 Ridge Road  
White Lake, MI 48383

## **Property Description**

The approximately 0.49-acre (21,344.4 square feet) parcel identified as 2039 Ridge Road is located on White Lake within the Stison Lake subdivision and zoned R1-D (Single Family Residential). The existing house on the property (approximately 2,599 square feet in size) utilizes a private well for potable water and a private septic system for sanitation.

## **Applicant's Proposal**

Donna Marie & James Bauer, the applicants, are proposing to construct an accessory structure (pergola) in the rear yard. The proposed structure would be located on an existing patio.

## **Planner's Report**

The proposed pergola is 12 feet by 16 feet (192 square feet) in size. The applicants intend to locate the pergola west of the existing house, in the rear yard along the frontage of White Lake. Section 3.11.Q of the zoning ordinance states no building shall be located closer than 25 feet to any regulated wetland, submerged land, watercourse, pond, stream, lake or like body of water. The pergola would be located 16 feet from the water's edge, which follows the seawall. A variance of nine (9) feet is requested for the setback from the lake.

The zoning ordinance prohibits accessory buildings from encroaching within five (5) feet of a side lot line. The outer edge of the pergola posts are located four (4) feet from the north side lot line. Roofs and gutters also cannot project closer than five (5) feet to the lot line. The roof overhang on the proposed pergola is located three (3) feet from the north side lot line. Section 7.27.vii of the zoning ordinance prohibits the Zoning Board of Appeals from granting a variance of less than five feet from a side lot line for safety reasons.

If the Zoning Board of Appeals approves the request, staff recommends the following condition:

- The accessory structure shall meet the required 5-foot side yard setback from the north property line.

The requested variance is listed in the following table.

<b>Variance #</b>	<b>Ordinance Section</b>	<b>Subject</b>	<b>Standard</b>	<b>Requested Variance</b>	<b>Result</b>
1	Article 3.11.Q	Water features setback	25 feet	9 feet	16 feet

### **Recommended Motions:**

**Approval:** I move to approve the variance requested by Donna Marie & James Bauer from Article 3.11.Q of the Zoning Ordinance for Parcel Number 12-18-351-056, identified as 2039 Ridge Road, in order to construct an accessory structure that would encroach nine feet into the required water features setback. This approval will have the following conditions:

- The Applicant shall obtain all necessary permits from the White Lake Township Building Department.
- The accessory structure shall meet the required 5-foot side yard setback from the north property line.

**Denial:** I move to deny the variance requested by Donna Marie & James Bauer for Parcel Number 12-18-351-056, identified as 2039 Ridge Road, due to the following reason(s):

**Table:** I move to table the variance request of Donna Marie & James Bauer for Parcel Number 12-18-351-056, identified as 2039 Ridge Road, to consider comments stated during this public hearing.

### **Attachments:**

1. Variance application dated July 23, 2020.
2. Applicant's written statement dated July 22, 2020.
3. Site plan dated August 4, 2020.
4. Pergola plans.
5. Stison Lake plat.
6. Letter of denial from the Building Department dated July 6, 2020.



### 7.37 STANDARDS

General variances: The Zoning Board of Appeals may authorize a variance from the strict application of the area or dimensional standard of this Ordinance when the applicant demonstrates all of the following conditions "A – E" or condition F applies.

- A. Practical difficulty: A practical difficulty exists on the subject site (such as exceptional narrowness, shallowness, shape or area; presence of floodplain; exceptional topographic conditions) and strict compliance with the zoning ordinance standards would unreasonably prevent the owner from using of the subject site for a permitted use or would render conformity unnecessarily burdensome. Demonstration of a practical difficulty shall have a bearing on the subject site or use of the subject site, and not to the applicant personally. Economic hardship or optimum profit potential are not considerations for practical difficulty.
- B. Unique situation: The demonstrated practical difficult results from exceptional or extraordinary circumstances or conditions applying to the subject site at the time the Ordinance was adopted or amended which are different than typical properties in the same zoning district or the vicinity.

- C. Not self created: The applicants problem is not self created.
- D. Substantial justice: The variance would provide substantial justice by granting the property rights similar to those enjoyed by the majority of other properties in the vicinity, and other properties in the same zoning district. The decision shall not bestow upon the property special development rights not enjoyed by other properties in the same district, or which might result in substantial adverse impacts on properties in the vicinity (such as the supply of light and air, significant increases in traffic, increased odors, an increase in the danger of fire, or other activities which may endanger the public safety, comfort, morals or welfare).
- E. Minimum variance necessary: The variance shall be the minimum necessary to grant relief created by the practical difficulty.
- F. Compliance with other laws: The variance is the minimum necessary to comply with state or federal laws, including but not necessarily limited to:
  - i. The Michigan Right to Farm Act (P.A. 93 of 1981) and the farming activities the Act protects;
  - ii. The Americans with Disabilities Act of 1990 (as amended), and the needs of handicapped individuals the Act protects, including accessory facilities, building additions, building alterations, and site improvements which may not otherwise meet a strict application of the standards of this Ordinance.

Under no circumstances shall the Board of Appeals grant a variance to allow a use not permissible under the terms of this Ordinance in the district involved, or any use expressly or by implication prohibited by the terms of this Ordinance in said district.

**CHARTER TOWNSHIP OF WHITE LAKE**  
**Zoning Board of Appeals**  
**APPLICATION**

White Lake Township Planning Department, 7525 Highland Road, White Lake, MI 48383 248-698-3300 x163

APPLICANT'S NAME: Donna Marie & James Bauer PHONE: (248) 891 1081

ADDRESS: 2039 Ridge Road White Lake Twp; Mi. 48383

APPLICANT'S EMAIL ADDRESS: donnamariiebauer@comcast.net

APPLICANT'S INTEREST IN PROPERTY:  OWNER  BUILDER  OTHER: \_\_\_\_\_

ADDRESS OF AFFECTED PROPERTY: 2039 Ridge Road White Lake PARCEL # 12 - 18 - 351 - 056

CURRENT ZONING: R1-D PARCEL SIZE: 0.432 Acres

STATE REQUESTED VARIANCE AND ORDINANCE SECTION: \_\_\_\_\_

Article 3.11.Q of the White Lake Township Clear Zoning Ordinance

Article 5.7.A of the White Lake Township Clear Zoning Ordinance

STATE REASONS TO SUPPORT REQUEST: (ADDITIONALS SHEETS MAY BE ATTACHED)

We are requesting a variance to approve a covered awning structure to be located on our patio. The purpose of this covered awning would allow shelter from the sun and protection from the weather elements. We take care of a set of aging parents, one with dementia and the other with Parkinson's Disease. As the patio stands now, it is completely exposed to the elements and direct sunlight whereby making the space unusable, not only for us but also our aging parents. This is an extension of their living space & unusable as it stands now

APPLICATION FEE: \_\_\_\_\_ (CALCULATED BY THE PLANNING DEPARTMENT)

APPLICANT'S SIGNATURE: Donna Marie Bauer DATE: 7.23.2020

*James Bauer*

Donna Marie Bauer  
James Bauer  
2039 Ridge Road  
White Lake Two; Mi 48383

July 22, 2020

White Lake Township Board,

Thank you for taking the time to consider our circumstances. We would like to build a pergola/pagoda, covered awning structure on our patio.

Our property line on the lake side is unique in a way where it is u-shaped, whereas the longest portion of our property line is where the pagoda/pergola would be located. This area is actually set back within the proper zoning guidelines from the lake and not in the middle of our property line where the measurements were taken.

The proposed covered awning would be located on our existing patio. We take care of a set of our aging parents, one with dementia and the other with Parkinson's Disease. The patio, as it stands, is an area that is completely unused due to being completely exposed to direct sunlight and the elements. The area also offers us no privacy whatsoever. This is an extension of ours and our parent's living space and because they are confined to the walkout level, this would be their only access and area where they would be able to go outside and be protected from the direct sunlight, elements and to have some privacy.

Thank you again.

Sincerely,

*Donna Marie Bauer*

*James Bauer*

Donna Marie & James Bauer

WATER LINE

EXISTING  
PAVER PATIO

DECK

CONCRETE

SCALE  
1/8" = 1'

REVISED 8/4/2020  
SITE PLAN

BAUER RESIDENCE  
2039 RIDGE ROAD

28'

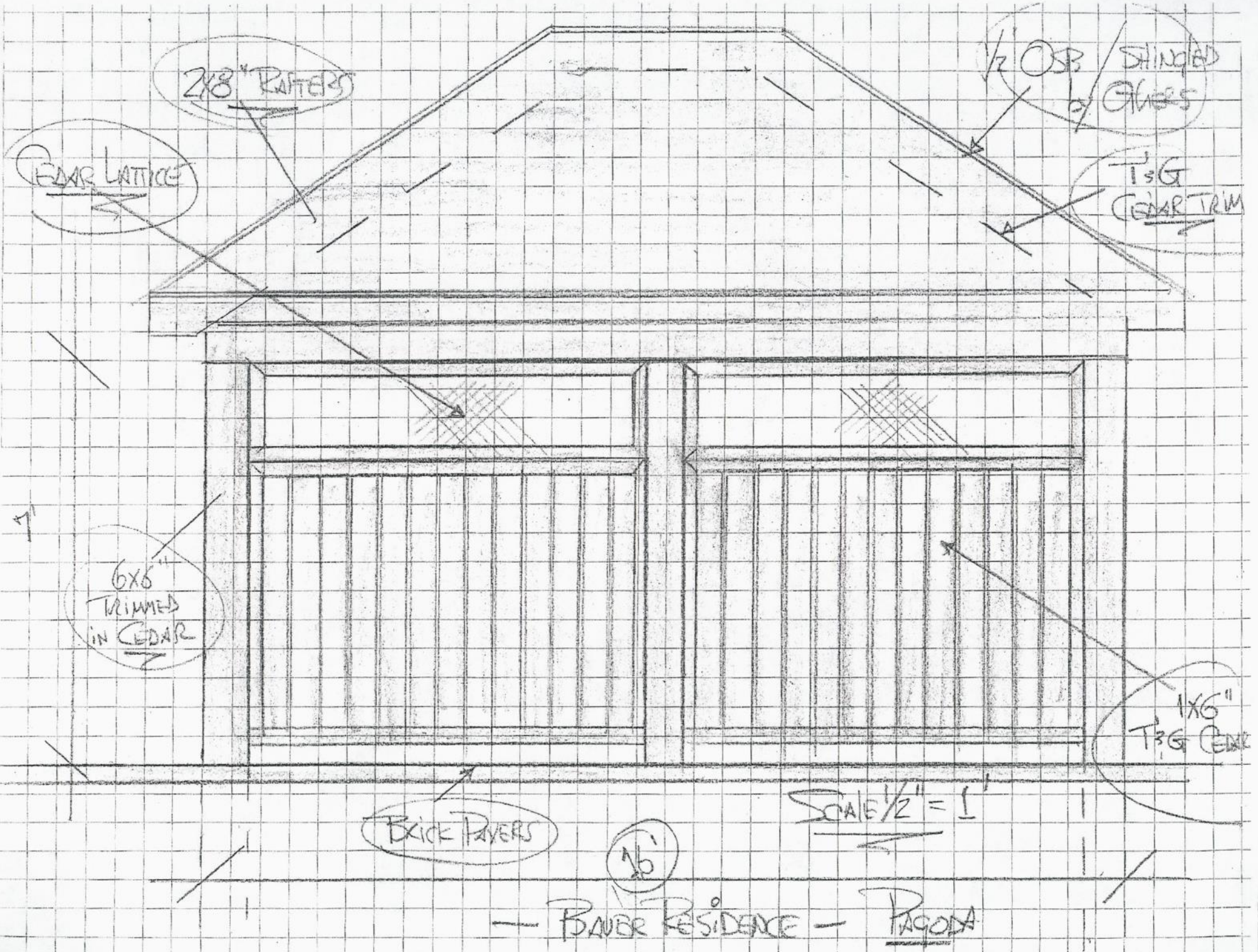
16'

12'

RECEIVED

AUG 04 2020

COMMUNITY  
DEVELOPMENT  
DEPARTMENT



2x8" RAFTERS

1/2" OSB SHINGLED  
w/ OTHERS

CEGAR LATTICE

1 1/2" G  
CEGAR TRIM

6x6"  
TRIMMED  
IN CEDAR

1x6"  
T 3/4" G  
CEGAR

6x6" RAFTERS

SCALE 1/2" = 1'

16'

— BAUER RESIDENCE — PAGODA

SHINGLED  
TOWER  
HOUSE

42'

PERIMETER  
FENCE

14'

16'

BAUER RESIDENCE 18' "TAGODA"

SCALE 1/2" = 1'

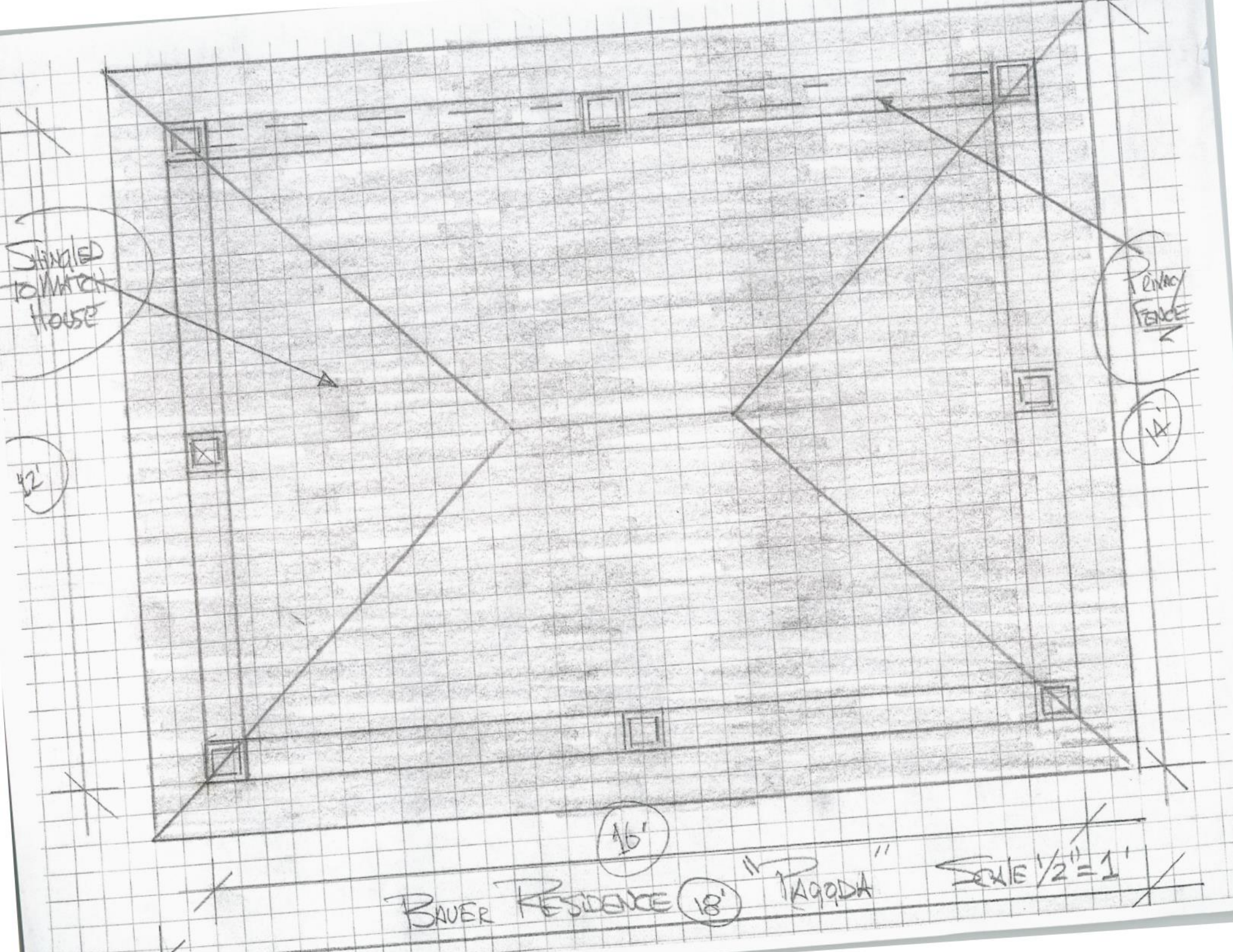
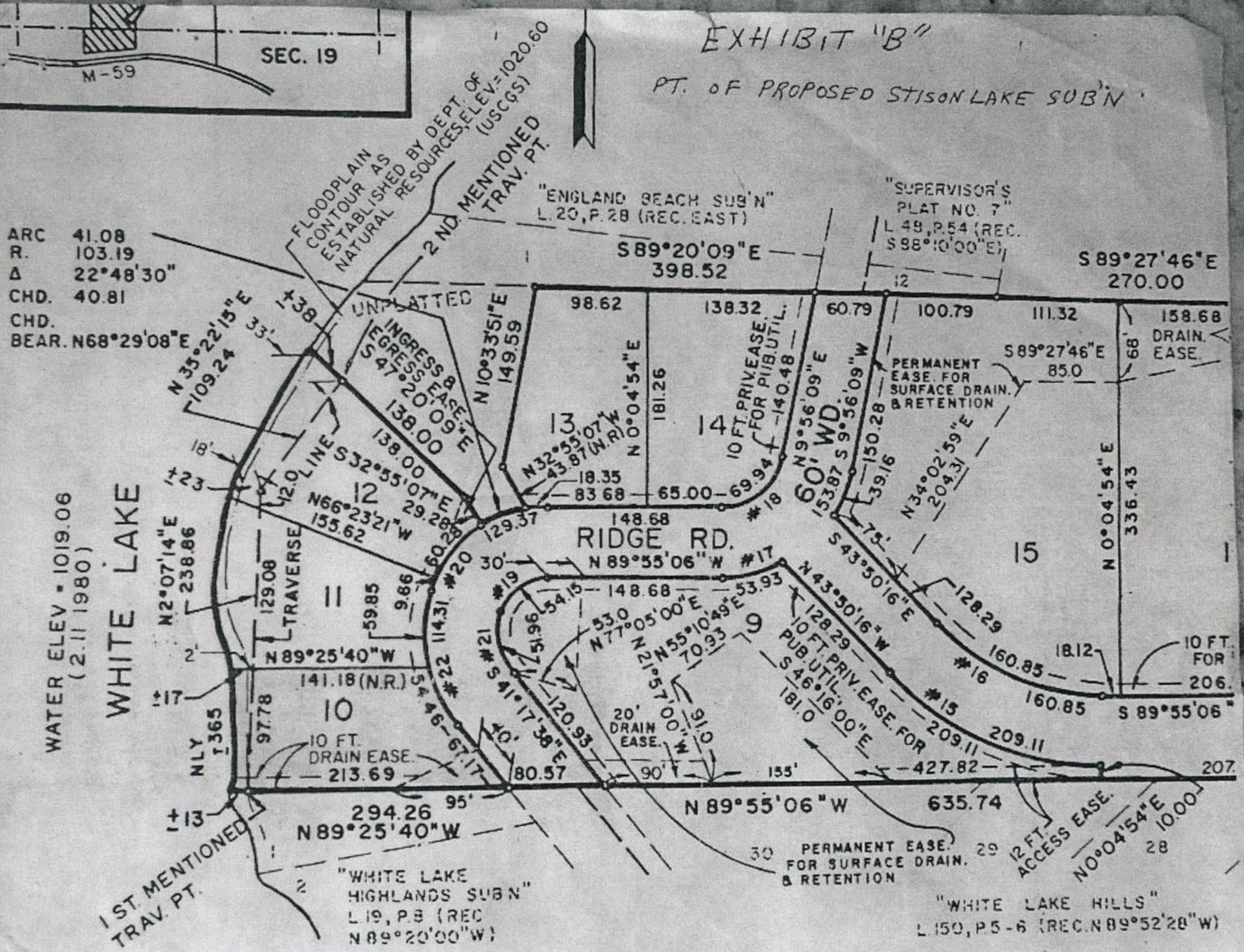


EXHIBIT "B"

PT. OF PROPOSED STISON LAKE SUB'N



WATER ELEV. = 1019.06  
(2.11 1980)

WHITE LAKE

SEC. 19

ARC 41.08  
 R. 103.19  
 Δ 22°48'30"  
 CHD. 40.81  
 CHD.  
 BEAR. N68°29'08"E

NLY T. 365

1ST MENTIONED  
 TRAV. PT.

"WHITE LAKE  
 HIGHLANDS SUB'N"  
 L. 19, P. 8 (REC.  
 N89°20'00"W)

"WHITE LAKE HILLS"  
 L. 150, P. 5-6 (REC. N89°52'28"W)

Rik Kowall, Supervisor  
Terry Lilley, Clerk  
Mike Roman, Treasurer



Trustees  
Scott Ruggles  
Michael Powell  
Andrea C. Voorheis  
Liz Fessler Smith

## WHITE LAKE TOWNSHIP

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

July 6, 2020

James Bauer  
2039 Ridge Rd  
White Lake, MI 48386

RE: Proposed Pergola

Based on the submitted plans, the proposed pergola does not satisfy the White Lake Township Clear Zoning Ordinance for setbacks.

**Article 3.11.Q of the White Lake Township Clear Zoning Ordinance requires:** No building shall be located closer than 25 feet to any regulated wetland, submerged land, watercourse, pond, stream, lake or like body of water. The setback shall be measured from the edge of the established wetland boundary as reviewed and approved by the Township.

The proposed structure would have a rear yard setback of approximately 21 feet from the nearest water's edge while maintaining a minimum of 10 ft from the principal structure as detailed in Article 5.7.A. The proposed structure also must maintain a minimum setback of 5 feet from the side yard property line.

**Article 5.7.A of the White Lake Township Clear Zoning Ordinance:** No detached garage or accessory building or structure shall be located closer than ten (10) feet to any principal structure or building, unless it conforms to all regulations of this Ordinance applicable to principal structures and buildings.

A variance is required to the schedule of regulations, Article 7 of the White Lake Township Clear Zoning Ordinance.

Sincerely,

Nick Spencer, Building Official  
White Lake Township



**WHITE LAKE TOWNSHIP  
ZONING BOARD OF APPEALS**

**REPORT OF THE  
COMMUNITY DEVELOPMENT DEPARTMENT**

**TO:** Zoning Board of Appeals  
**FROM:** Sean O'Neil, AICP, Planning Director  
Justin Quagliata, Staff Planner  
**DATE:** September 10, 2020

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**Agenda item:** 6b

**Appeal Date:** September 10, 2020

**Applicant:** Kim McFadden

**Address:** 9693 Bonnie Briar  
White Lake, MI 48386

**Zoning:** R1-D Single Family Residential

**Location:** 9120 Buckingham  
White Lake, MI 48386

## **Property Description**

The approximately 0.235-acre (10,250 square feet) parcel identified as 9120 Buckingham is located within the English Villas subdivision on Pontiac Lake and zoned R1-D (Single Family Residential). The existing house on the property utilizes a private well for water and the public sanitary sewer system for sanitation. The double lot (Lots 113 and 114) contains 95 feet in width at the front property line.

## **Applicant's Proposal**

Kim McFadden, the applicant, is proposing to construct a two-story addition to the existing 878 square foot house. The project involves adding 450.5 square feet to the first floor and constructing a 1,262.5 square foot second story on the existing dwelling; the total size of the house with the addition would be 2,591 square feet. A four-car, two-story garage addition is also proposed to replace the existing 440 square foot single-story detached garage. Including the second story the new garage would be 2,184 square feet in size. The 66 square foot covered area identified as "portico" on the plans would connect the two structures. The garage would be part of the principal structure if connected to the house. Therefore, the total size of the proposed structure is 4,775 square feet, an increase in 3,897 square feet.

## **Planner's Report**

Currently the existing house is nonconforming to setbacks; the structure is located 1.2 feet from the west side lot line and 15.8 feet from the front lot line. A minimum 10-foot side yard setback and 30-foot front yard setback are required in the R1-D zoning district. The parcel is also nonconforming due to a 1,750 square foot deficiency in lot area; the minimum lot size requirement is 12,000 square feet in the R1-D zoning district.

Article 7, Section 28 of the Zoning Ordinance states maintenance to nonconforming structures cannot exceed fifty percent (50%) of the State Equalized Valuation (SEV) in repairs in any period of twelve (12) consecutive months in order to retain its legal nonconforming status. Based on the SEV of the structure (\$3,680), the maximum extent of improvements cannot exceed \$1,840. The value of the proposed work is \$165,000, which far exceeds the allowed value of improvements by 8,967%. Further, Article 7, Section 28 of the Zoning Ordinance does not allow the cubic content of nonconforming structures to be increased. Additionally, Article 7, Section 23 of the Zoning Ordinance states nonconforming structures may not be enlarged or altered in a way which increases the nonconformity.

According to the Building Department, the current garage cannot support the proposed addition. The applicant would demolish the existing garage and attach the new garage to the house with a roofed structure. The proposed lot coverage is 23.61% (2,420.5 square feet), which is 3.61% (370.5 square feet) beyond the allowable limit (2,050 square feet). As proposed, the addition at its closest point would be located 18 feet from the road right-of-way, requiring a variance of 12 feet from the required 30-foot front yard setback.

The northwest corner of the existing structure and proposed second story addition is located 1.2 feet from the side lot line. Article 7, Section 27.vii of the Zoning Ordinance prohibits the Zoning Board of Appeals from granting a variance to permit a setback of less than five feet from a side lot line to ensure access for fire equipment and other emergency vehicles. Additionally, the Township Fire Department reviewed the project plans and recommended denial of the proposed addition due to public safety concerns (see attached).

In summary, Planning staff recommends denial of the requested variances. The proposed improvements exceed the allowed value of repairs and maintenance to a nonconforming structure by 8,967%. Based on the SEV of the structure the buildings should be demolished and the applicant should propose a new house that conforms to the Zoning Ordinance. Additionally, Article 7, Section 23 of the Zoning Ordinance states nonconforming structures may not be enlarged or altered in a way which increases the nonconformity. In accordance with Article 7, Section 27.vii of the Zoning Ordinance an 8.8-foot variance to allow a 1.2-foot side yard setback should not be considered by Zoning Board of Appeals because the ordinance prohibits permitting a side yard setback of less than five feet.

The requested variances are listed in the following table.

**Proposed Variances**

Variance #	Ordinance Section	Subject
1	Article 7.28.A	Nonconforming Structure

Current Building TCV (True Cash Value): \$7,360  
 Total SEV (State Equalized Value): \$3,680 50% = \$1,840  
 Proposed Estimated Cost of Construction: \$165,000  
 8967% Percent Over the allowable Maintenance  
 No Expansion of the Cubic Content of the Structure

Variance #	Ordinance Section	Subject	Required	Requested Variance	End Results
2	Article 3.1.6	Front Yard Setback	30.0'	12'	18'

Variance #	Ordinance Section	Subject	Required	Requested Variance	End Results
3	Article 3.1.6	Maximum Lot Coverage	20%	3.61%	23.61%
			2,050 sq. ft.	370.5 sq. ft.	2,420.5 sq. ft.

Variance #	Ordinance Section	Subject	Required	Requested Variance	End Results
4	Article 3.1.6	Minimum Lot Size	12,000 sq. ft.	1,750 sq. ft.	10, 250 sq. ft.

## **Zoning Board of Appeals Options:**

**Approval:** I move to approve the legal nonconforming structure to remain with the requested variances by Kim McFadden from Article 3, Section 1.6 and Article 7, Section 28.A of the Zoning Ordinance for Parcel Number 12-14-280-014, identified as 9120 Buckingham Road, in order to construct a two-story addition on the existing house. This approval will have the following conditions:

- The Applicant shall obtain all necessary permits from the White Lake Township Building Department.
- The Applicant shall submit revised plans for the improvements without encroachment into the side yard setback as the Zoning Board of Appeals is without authority to grant a variance with regard to the side yard setback.
- The variances shall expire at the time the structure is no longer considered legal nonconforming.

**Denial:** I move to deny the variances requested by Kim McFadden for Parcel Number 12-14-280-014, identified as 9120 Buckingham Road, due to the following reason(s):

- Since the subject property is a double lot there are legal alternatives available to the Applicant to make improvements to the existing structure or build a new house in accordance with the Zoning Ordinance.
- The Applicant has not demonstrated a hardship or practical difficulty that justify the variances being requested.
- The Applicant's alleged need for the requested variances is self-created.
- The proposed project would result in substantial adverse impacts on properties in the vicinity.
- The Applicant has failed to demonstrate the requested variances are the minimum necessary.
- The public safety concerns identified by the Township Fire Department.
- The requested variances would increase the cubic content of the nonconforming structure by 3,897 square feet and increase the extent of the nonconformities.
- The value of the proposed improvements exceeds the allowed value of repairs and maintenance to a nonconforming structure by 8,967%.

**Table:** I move to table the variances requested by Kim McFadden for Parcel Number 12-14-280-014, identified as 9120 Buckingham Road, to consider comments stated during this public hearing.

### 7.37 STANDARDS

General variances: The Zoning Board of Appeals may authorize a variance from the strict application of the area or dimensional standard of this Ordinance when the applicant demonstrates all of the following conditions "A - E" or condition F applies.

- A. Practical difficulty: A practical difficulty exists on the subject site (such as exceptional narrowness, shallowness, shape or area; presence of floodplain; exceptional topographic conditions) and strict compliance with the zoning ordinance standards would unreasonably prevent the owner from using of the subject site for a permitted use or would render conformity unnecessarily burdensome. Demonstration of a practical difficulty shall have a bearing on the subject site or use of the subject site, and not to the applicant personally. Economic hardship or optimum profit potential are not considerations for practical difficulty.
- B. Unique situation: The demonstrated practical difficult results from exceptional or extraordinary circumstances or conditions applying to the subject site at the time the Ordinance was adopted or amended which are different than typical properties in the same zoning district or the vicinity.

- C. Not self created: The applicants problem is not self created.
- D. Substantial justice: The variance would provide substantial justice by granting the property rights similar to those enjoyed by the majority of other properties in the vicinity, and other properties in the same zoning district. The decision shall not bestow upon the property special development rights not enjoyed by other properties in the same district, or which might result in substantial adverse impacts on properties in the vicinity (such as the supply of light and air, significant increases in traffic, increased odors, an increase in the danger of fire, or other activities which may endanger the public safety, comfort, morals or welfare).
- E. Minimum variance necessary: The variance shall be the minimum necessary to grant relief created by the practical difficulty.
- F. Compliance with other laws: The variance is the minimum necessary to comply with state or federal laws, including but not necessarily limited to:
  - i. The Michigan Right to Farm Act (P.A. 93 of 1981) and the farming activities the Act protects;
  - ii. The Americans with Disabilities Act of 1990 (as amended), and the needs of handicapped individuals the Act protects, including accessory facilities, building additions, building alterations, and site improvements which may not otherwise meet a strict application of the standards of this Ordinance.

Under no circumstances shall the Board of Appeals grant a variance to allow a use not permissible under the terms of this Ordinance in the district involved, or any use expressly or by implication prohibited by the terms of this Ordinance in said district.

CHARTER TOWNSHIP OF WHITE LAKE  
Zoning Board of Appeals  
APPLICATION

White Lake Township Planning Department, 7525 Highland Road, White Lake, MI 48383 248-698-3300 x163

APPLICANT'S NAME: Kim McFadden PHONE: 248.666.3368  
ADDRESS: 9693 Bonnie Dr, Whit Lk  
APPLICANT'S INTEREST IN PROPERTY:  OWNER  BUILDER  OTHER: \_\_\_\_\_

ADDRESS OF AFFECTED PROPERTY: 9120 Buckingham PARCEL # 12 - 14-280-014  
CURRENT ZONING: R1-D PARCEL SIZE: \_\_\_\_\_

STATE REQUESTED VARIANCE AND ORDINANCE SECTION: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

STATE REASONS TO SUPPORT REQUEST: (ADDITIONAL SHEETS MAY BE ATTACHED)  
Due to the prior owner's health conditions (living in house for over a year without water or lavatory facilities), the structures on the property have deteriorated to the point of them being unusable and/or livable. To bring the property and structures to the current building standards of the neighborhood, surrounding area and values.

APPLICATION FEE: 385<sup>00</sup> (CALCULATED BY THE PLANNING DEPARTMENT)  
APPLICANT'S SIGNATURE: [Signature] DATE: 12/18/19

*Dennis W. Strelchuk & Assoc.*

*A Professional Limited Liability Company*

*650 Broadway, P. O. Box 310*

*Davisburg, Michigan 48350-0310*

DENNIS W. STRELCHUK  
dstrelchuk@saalaw.net

(248) 328-1300  
FACSIMILE: (248) 328-0600

OF COUNSEL  
JAMES J. ROSSIE, Jr., P.C.\*  
\*ALSO MEMBER OF ARIZONA BAR

July 23, 2020

**RECEIVED**

**JUL 27 2020**

**Supervisors Office**

Charter Township of White Lake  
7525 Highland Road  
White Lake, MI 48383

ATTN: **Township Supervisor** – Rik Kowall  
**Township Clerk** – Terry Lilley  
**Zoning Board of Appeals Members**  
Jo Spencer – Vice Chair  
Rhonda Grubb – Planning Commission Liaison  
David Walz – Secretary  
Mike Powell – Township Board Liaison  
Niklaus Schillack  
Cliff Seiber – Alternate  
Alison Swanson – Alternate

RE: **Zoning Board of Appeals Review**  
Applicant: Kim McFadden  
Property Location: 2120 Buckingham, White Lake, MI 48386 (Lots 113 and 114)  
Zoning: R1-D Single Family Residential

Supervisor, Clerk and Zoning Board of Appeals Members:

I represent Mrs. Kim McFadden, the Zoning Board of Appeals Applicant, regarding her appeal to remodel and construct improvement to her property at 2120 Buckingham, White Lake, MI 48386 (“**Property**”). I have met with my client and her agent regarding her past appeal to the White Lake Township Zoning Board of Appeals requesting some variances for remodeling and construction improvement to the Property. My client requests approval of some variances and clarification of changes to her past plans that have been revised to conform to your White Lake Township Ordinances.

The remodeling/construction plans have been changed to conform to the White Lake Township Ordinance as follows:

A. The request to close the notch in the Southwest corner of the house has been eliminated. The past closing of the notch would have increased the set-back encroachment. Simply stated the corner will no longer be squared off and remains the same.

B. Second story cantilever is now reduced on the northeasterly side of the cantilever in the rear of the residence out of the 10 Ft side yard set-back.

C. The existing garage will be torn down.

D. The new garage would be within the Property set-back.

E. The house foundation can support a second story which has been verified by Lopez Engineering, Inc. Structural Consulting by the enclosed letter dated January 30, 2020 (“**Engineering Report**”) which eliminates that issue.

F. The pre-existing non-conformities are not an issue before this Appeals Board because the Applicant is not seeking to increase the non-conformities. The Applicant does not know of any detrimental effect on the surrounding neighborhood or against White Lake Township. The proposed changes do not threaten the welfare or safety of any aspect within White Lake Township. Forced demolition of the house would be nothing short of an arbitrary and capricious act and condemnation on the Property without compensation by White Lake Township.

The items for variance request are:

1. Construction of a four vehicle garage to permit storage of Property maintenance items and vehicles including a walkway between the garage to the house. The detached garage and walkway are a necessity because a power line utility pole prevents the attachment of a garage to the house. The house contains minimal storage and the Applicant would prefer not to store anything outside the house to avoid any unsightly appearances in the neighborhood.

2. The SEV would be changed most likely to exceed 50% considering that the Property will be improved to conform to the surrounding neighborhood with all the updating, improvements and new structure. The Applicant owner had no input in the extremely low SEV presently assigned to the Property. There is no reasonable basis to demand demolition of the house. Presently it is a sound structure and any changes proposed by the Applicant would not increase any non-conformity within Property boundaries (refer to the enclosed Engineering Report).

3. The site changes proposed exceed the 20% improvement criteria of the Township ordinance, but in review of the structures in the neighborhood and district the 20% improvement restriction has been exceeded on a large scale throughout the area. My client requests written proof of the basis for determining the restrictive 20% improvement criteria. If this 20% improvement restriction were imposed on my client, it would result in an unnecessary hardship considering the original home size is very small due to its cottage design years ago and was not intended as a year around domicile, which my client proposes for its use after remodeling and improvement. The proposed structures will be used as my client’s home.

My client would also like the White Lake Township personnel to consider the following key points while reviewing the appeal documents which are:

A. The Property cannot be reasonably used in its present state which is inconsistent with the requirements of the Zoning Ordinance. The remodeling and construction proposed by the Applicant would be an overall improvement to the neighborhood and district consistent with the Zoning Ordinance.



B. If the Applicant's appeal is denied, the Applicant would be denied privileges enjoyed by neighboring properties because the Property changes proposed would be an upgrade and conform to the neighborhood structures and Property use.

C. The Applicant has not created the need for the variance. The Property requires remodeling, repair and construction to upgrade all structures to conform to the present conditions in the neighborhood.

D. If the appeal is approved, there would not be any adverse effect to the properties in the neighborhood. The adjoining properties in the neighborhood would likely either remain the same or experience an increase in value if the proposed remodeling and construction is approved. The immediate surrounding Property owners approved the revised plans. In fact, there was great enthusiasm expressed by the neighborhood landowners. I have attached a petition signed by seventy-one (71) neighbors ("**Approval Petition**") which approves the remodeling, repairs and construction that the Applicant proposes. The signers of the Approval Petition were provided a copy of the remodeling, repairs and construction Property plans prior to signing the Approval Petition.

E. The requested variance will not damage or injure any neighboring properties.

F. The variance request is not contrary to the intent and purpose of the Zoning Ordinance. It seems apparent that the old cottage community was the target of the Zoning Ordinance to eliminate structures that were unsound, unsalvageable and unsightly. However, the present Property residential structure is an unusual condition because the structure is sound and merely requires remodeling, repair and be constructed to provide some additional space. The old garage is not an issue since the Applicant has already agreed that the existing garage will be voluntarily demolished and replace by a new structure. If the Applicant were forced to demolish the residential building, which has been proven sound by the Engineering Report, it would amount to an unreasonable burden.

G. The Applicant is not requesting the variance for personal or economic hardship. The hardship that is involved in the appeal relates to the fact that the residential structure is sound and does not merit destruction and will be an eventual improvement to the community. The Applicant asserts that the changes proposed deals with a unique physical situation that the Zoning Ordinance apparently never planned or considered at the time of drafting.

H. The proposed revision by the Applicant constitutes the minimum changes to the Property to salvage a sound structure and in the same instance improve the surrounding community.

I. It is apparent that properties within the community have been granted approval of similar requests to improve properties that were substandard by the provisions stated in the Zoning Ordinance. The Applicant's request will satisfy and conform to the intent of the Zoning Ordinance in eliminating what many White Lake Township personnel consider to be an undesirable blight in the community.

July 23, 2020

Page 4

The proposed modified remodeling/construction plans of the house do not enlarge or alter in any way zoning ordinance non-conformities. The house structure and its foundation can support a second story based on the Engineering Report. The landowners overwhelming support the Applicant's variance request stated in the Approval Petition. Based on the above explanations Sections 7.28 Repairs and Maintenance and 7.23 Nonconforming Structures no longer apply.

If you have any questions or comments, please direct them to the Applicant or to me at my law offices. My client understands your concerns and only intends to improve conditions on the Property to compliment the community.

Yours truly,

DENNIS W. STRELCHUK & ASSOC., P.L.L.C.

A handwritten signature in black ink, appearing to read "Dennis W. Strelchuk". The signature is fluid and cursive, with the first name being the most prominent.

Dennis W. Strelchuk

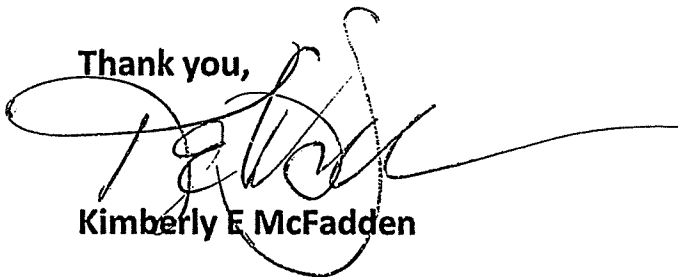
DWS/mr

cc: Ms. Kim McFadden

June 29 2020

I, Kimberly E McFadden, swear that I have personally collected all the signatures on the petition being submitted regarding the proposed construction site at 9120 Buckingham Street, White Lake Mi 48386. All the people that have signed the petition have personally viewed the building plans and survey or were offered the option to view them and declined the opportunity.

Thank you,




Kimberly E McFadden

9693 Bonnie Briar

White Lake Mi 48386

248 666 3368



MARIANNE STRELCHUK  
NOTARY PUBLIC, STATE OF MI  
COUNTY OF OAKLAND  
MY COMMISSION EXPIRES Feb 8, 2027  
ACTING IN COUNTY OF OAKLAND

Kim McFADDEN APPEARED BEFORE  
ME THIS 30<sup>th</sup> DAY OF JUNE 2020.

1/4

PROPERTY VARIANCE APPROVAL PETITION

Subject: Approval by surrounding property owners of the Variance Application for 9120 Buckingham Street, White Lake Township, MI

Variance: Remodeling and alteration of existing structure consisting of:

1. Enlarge Existing Structure:
  - a. Add Second Floor onto existing structure
  - b. Allow 28% increase of structure footprint which includes porch, deck, walkway, 1<sup>st</sup> Floor and garage. (This would allow more than the required 20% footprint.)
  - c. House and Garage will not encroach any further on either sides of adjacent properties, lake/canal or the road.
2. Remodel Existing Structures to Conform to Surrounding Area
3. Increases the State Equalized Value of the Property

I have no objection to any of the details and approve the requested variance filed with White Lake Township by the 9120 Buckingham Street Owner. The plans were available for my review at the time of signing this Property Variance Approval Petition.

PRINT NAME	SIGNATURE	ADDRESS	DATE
1. Sandra Fitzpatrick	<i>Sandra Fitzpatrick</i>	9673 Bonnie Briar	6/07/20
2. Gregg Fitzpatrick	<i>Gregg Fitzpatrick</i>	" "	6/07/20
3. Helen Garrett	<i>Helen Garrett</i>	9481 Bonnie Briar	06/07/2020
4. MICHAEL WYSE	<i>Michael Wyse</i>	9481 BONNIE BRIAR	06/07/2020
5. MONICA HATFIELD	<i>Monica Hatfield</i>	9471 BONNIE BRIAR	06/07/2020
6. LAWRENCE HATFIELD	<i>Lawrence Hatfield</i>	9471 BONNIE BRIAR	06/07/2020
7. JAMES C. VENTITTELLI	<i>James C. Ventitelli</i>	2124 Hampton	6-20-2020
8. ROGER PAPPAS	<i>Roger Pappas</i>	2094 HAMPTON	06-20-2020
9. LAURIE WELLS	<i>Laurie Wells</i>	" "	" "
10. KATHRYN	<i>Kathryn Reddie</i>	2093 Hampton	6-20-20
11. Karen Parkhurst	<i>Karen Parkhurst</i>	2123 Hampton	6-20-20
12. DON HATINGY	<i>Don Hatingy</i>	9231 Buckingham	6-20-20
13. MATTHEW ROSS	<i>Matthew Ross</i>	9376 Bonnie Briar	6-22-2020
14. Sandra Leigh Fitzpatrick	<i>Sandra Leigh Fitzpatrick</i>	9661 Bonnie Briar	6/22/2020
15. MICHAEL GREGG FITZPATRICK	<i>Michael Gregg Fitzpatrick</i>	9661 BONNIE BRIAR	06/22/2020
16. NICHOLAS JOHN COSTING	<i>Nicholas John Costing</i>	9568 Buckingham St	6/22/2020
17. <i>[Signature]</i>	<i>[Signature]</i>	6602 AVE 2 2200 KINGSTON	6/22/2020
18. Terry McCloskey	<i>Terry McCloskey</i>	2253 Hampton	6/22/2020
19. CHRIS BYRNE	<i>Chris Byrne</i>	2053 DRURY LANE	
20. Kelli McCormick	<i>Kelli McCormick</i>	9491 Bonnie Briar	6/22/2020
21. David Kobzi	<i>David Kobzi</i>	9515 Bonnie Briar	6/22/20

2/4

### PROPERTY VARIANCE APPROVAL PETITION

**Subject:** Approval by surrounding property owners of the Variance Application for 9120 Buckingham Street, White Lake Township, MI

**Variance:** Remodeling and alteration of existing structure consisting of:

1. Enlarge Existing Structure:
  - a. Add Second Floor onto existing structure
  - b. Allow 28% increase of structure footprint which includes porch, deck, walkway, 1<sup>st</sup> Floor and garage. (This would allow more than the required 20% footprint.)
  - c. House and Garage will not encroach any further on either sides of adjacent properties, lake/canal or the road.
2. Remodel Existing Structures to Conform to Surrounding Area
3. Increases the State Equalized Value of the Property

I have no objection to any of the details and approve the requested variance filed with White Lake Township by the 9120 Buckingham Street Owner. The plans were available for my review at the time of signing this Property Variance Approval Petition.

PRINT NAME	SIGNATURE	ADDRESS	DATE
22. THOMAS SWITZEL	[Signature]	9020 Buckingham	6/8/20
23. MARIANNE MORAN	[Signature]	2211 Kingston Rd	6/8/20
24. Richard Horton	[Signature]	2247 Kingston Rd	6/8/20
25. Samaroma Horton	[Signature]	2247 Kingston St	6/8/20
26. GARY WEAKS	[Signature]	2248 KINGSTON ST	6/8/20
27. Eric Avedesian	[Signature]	2300 Kingston St	6/8/20
28. JEFF LEAHY	[Signature]	2267 KINGSTON ST	6/8/20
29. John Shuell	[Signature]	9693 Bonnie Briar St	6/8/20
30. Mark Bunge	[Signature]	9069 Buckingham St	6/11/2020
31. Leigh Opie	[Signature]	9127 Buckingham St	6/11/2020
32. MISTY OPIE	[Signature]	9127 Buckingham St	6-11-2020
33. Brent Bonninger	[Signature]	9068 Buckingham	6-11-2020
34. JOHN MIAWIC	[Signature]	2167 Kingston	6-11-2020
35. Andy Kowalski	[Signature]	9136 WATTHAM ST	6-11-20
36. SONDRA WEST	[Signature]	9136 WATTHAM ST.	6/11/20
37. DONALD MANIACI	[Signature]	2284 HAMPTON ST	6/11/20
38. Beth Dannewitz	[Signature]	2262 Hampton St	06/11/20
39. Joseph E. Opie	[Signature]	2228 Kingston	06/17/20

2512 Red Fox Trail

3/4

PROPERTY VARIANCE APPROVAL PETITION

Subject: Approval by surrounding property owners of the Variance Application for 9120 Buckingham Street, White Lake Township, MI

Variance: Remodeling and alteration of existing structure consisting of:

- 1. Enlarge Existing Structure:
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- 3. Increases the State Equalized Value of the Property

I have no objection to any of the details and approve the requested variance filed with White Lake Township by the 9120 Buckingham Street Owner. The plans were available for my review at the time of signing this Property Variance Approval Petition.

PRINT NAME	SIGNATURE	ADDRESS	DATE
40. Mary Hilliard	Mary Hilliard	2200 Hampton	6-6-20
41. Kenneth Hilliard	Kenneth Hilliard	2200 Hampton	6-6-20
42. Joyce Sheill	Joyce B. Sheill	2170 Doverlane	6-6-20
43. Rick Lowe	Rick Lowe	2193 HAMPTON	6-6-20
44. Mark DeGross	Mark DeGross	9276 Bonnie Briar	6-6-20
45. [Signature]	[Signature]	2143 Hampton	6-6-20
46. LINDA KENNEDY	Linda Kennedy	9219 Buckingham	6-6-20
47. LYLE & ROSE	Lyle & Rose	2265 HAMPTON	6-6-20
48. [Signature]	[Signature]	" "	" "
49. [Signature]	[Signature]	2375 Hampton	6-6-20
50. William R Wolfe	William R Wolfe	9135 Waltham	6-6-20
51. Barbara L Wolfe	Barbara L Wolfe	9135 Waltham	6-6-20
52. Yvette Limer	Yvette Limer	9151 Waltham	6-6-20
53. EDGAR RICHMOND	Edgar Richmond	9161 Buckingham	6-6-20
54. Michelle Bismore	Michelle Bismore	9161 Buckingham	6-6-20
55. Katherine E Lukacs	Katherine E Lukacs	9513 Bonnie Briar W.L.	6-7-20
56. Roslyn L. Watson	Roslyn L. Watson	9481 Bonnie Briar W.L. 48386	6-7-20
57. Kurt Radyko	Kurt Radyko	9090 Buckingham	6-7-20
58. James Cerano	James Cerano	9056 Buckingham	6-8-20
59. [Signature]	[Signature]	2302 HAMPTON	6-8-20

4/4

TO THE WHITE LAKE TOWNSHIP ZONING BOARD,

I AM SIGNING THIS PETITION IN SUPPORT OF THE REQUEST TO IMPROVE THE PROPERTY LOCATED AT 9120 BUCKINGHAM IN WHITE LAKE TOWNSHIP.

I DO UNDERSTAND THAT THERE IS A REQUEST BEFORE THE WHITE LAKE ZONING BOARD OF APPEALS FOR VARIANCE APPROVALS FOR THE EXISTING STRUCTURES TO BE ENLARGED, SECOND FLOOR ADDED ON EXISTING STRUCTURES, ALLOW MORE THAN AN OVERALL 20% FOOTPRINT (28% IS BEING REQUESTED FOR PORCH, DECK, WALKWAY, 1ST FLOOR OF HOUSE & GARAGE), REMODEL AND IMPROVE THE PROPERTY FOR MORE THAN 50% OF IT'S CURRENT 'SEV' (STATE EQUILIZED VALUE)

NOTE: THE HOUSE & GARAGE WILL NOT ENCROACH ANY FURTHER ON EITHER SIDES OF THE ADJACENT PROPERTIES, LAKE/CANAL, OR THE ROAD.

	PRINT NAME	SIGNATURE	ADDRESS	
60.	Melissa Ladner	Melissa Ladner	2031 Drury Ln	6/25/20
61.	Warren Ladner	Warren Ladner	2031 Drury Ln	6/25/20
62.	LAURA LADNER	Laura Ladner	9315 WATMAN	6/25/20
63.	James E Miazek	James E Miazek	9547 Buckingham	6/25/20
64.	Kimberly Miazek	Kimberly Miazek	9547 Buckingham	6/25/20
65.	Chris Steiner	Chris Steiner	2131 Kingston	6/25/20
66.	Steve Cangini	Steve Cangini	2515 Tackles	6/25/20
67.	Glenn	Glenn	2327 Kingston	6/25/20
68.	Deborah Perry	Deborah Perry	95115 Buckingham	6/25/20
69.	Chris Tamme	Chris Tamme	2718 TACKLES	6/25/20
70.	Michelle Payne	Michelle Payne	2299 Kingston St	6/25/20
71.	PETE PACE	Pete Pace	18461 HEATHCOTE LANE	6-26-20

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# **Lopez Engineering, Inc.** STRUCTURAL CONSULTING

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7508 M E Cad Blvd  
Suite C  
Clarkston, MI 48348  
Phone (248) 634-0444  
Fax (248) 297-5200  
tom@lopezengineers.com

January 30, 2020

Job No. 20-029

Kim McFadden  
9120 Buckingham LLC  
9693 Bonnie Briar  
White Lake, MI 48386

Re: Foundation Inspection  
9120 Buckingham  
White Lake, MI 48436

This is a follow-up letter from a site meeting among you, Alan Pelowski from Alan Construction and Thomas J. Mickus from Lopez Engineering. The purpose of the inspection was to verify whether the existing foundation is suitable for a new 2 story addition. The inspection was executed January 28, 2020.

## **Findings**

Upon arrival to the premises a 1-story building was found in fair to poor condition residing on a concrete block masonry foundation. The 20 ft. by 45 ft. existing structure appeared to have exterior wood siding and a roof system. On the inside all the interior finishes were found removed with construction debris and tools throughout.

In the basement, 6 ft. high concrete masonry walls were found beneath the exterior perimeter walls. The walls were found relatively plumb in good condition. Further, the walls were checked by hitting them with a hammer. All walls did not chip and sounded solid. (Note a compromised wall would easily chip or sound hollow when hitting it with a hammer) The walls appeared to be free of any major distress.

According to Alan Pelowski, the foundation will be extended 5 ft. in the 20 ft. dimension. The new foundation will have a concrete spread footing 42" below finished grade with 8" concrete block foundation walls. Further, new roof and 2<sup>nd</sup> floor trusses will clear span the new 25 ft. dimension. Lastly, new pressure treated wood blocking will be installed between the first-floor framing and the top of the masonry wall.

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**Analysis**

The following materials were referenced in writing this report: The 2015 Michigan Residential Code, Minimum Loads on Buildings and Other Structures (ASCE 7-10), The Building Code Requirements for Structural Concrete (ACI 318-11), the 2011 Building Code Requirements and Specification for Masonry Structures (by MSJC), A manual prepared by the Department of Army Corps of Engineers "Evaluation and Repair of Concrete Structures", and the 2011 National Design Specifications.

**Loading:**

Roof:	Dead Load= 15 psf, Live Load= 30 psf
2 <sup>nd</sup> Floor:	Dead Load= 15 psf, Live Load= 30 psf
1 <sup>st</sup> Floor:	Dead Load= 15 psf, Live Load= 40 psf

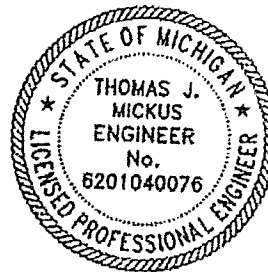
**Conclusion:**

We conclude that the existing masonry foundation system can accommodate loads from the first floor and new second story addition. Further, there shall be no internal loads on the interior framing but shall be redirected by clear span roof and floor trusses. Lastly, no stone or brick veneer is to be installed on exterior walls.

Please feel free to contact our office with any further questions or concerns.  
Very Truly Yours,

*Thomas J. Mickus*

Thomas J. Mickus, P.E.



# Fire Department

Charter Township  
of White Lake



7420 Highland Road, White Lake, MI 48383 Tel 248-698-3335 Fax 248-698-8982

August 6, 2020

Sean O'Neil  
Planning Director  
White Lake Township Community Development


Re: 9120 Buckingham

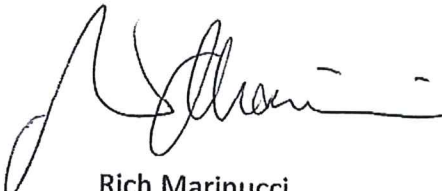
Sean,

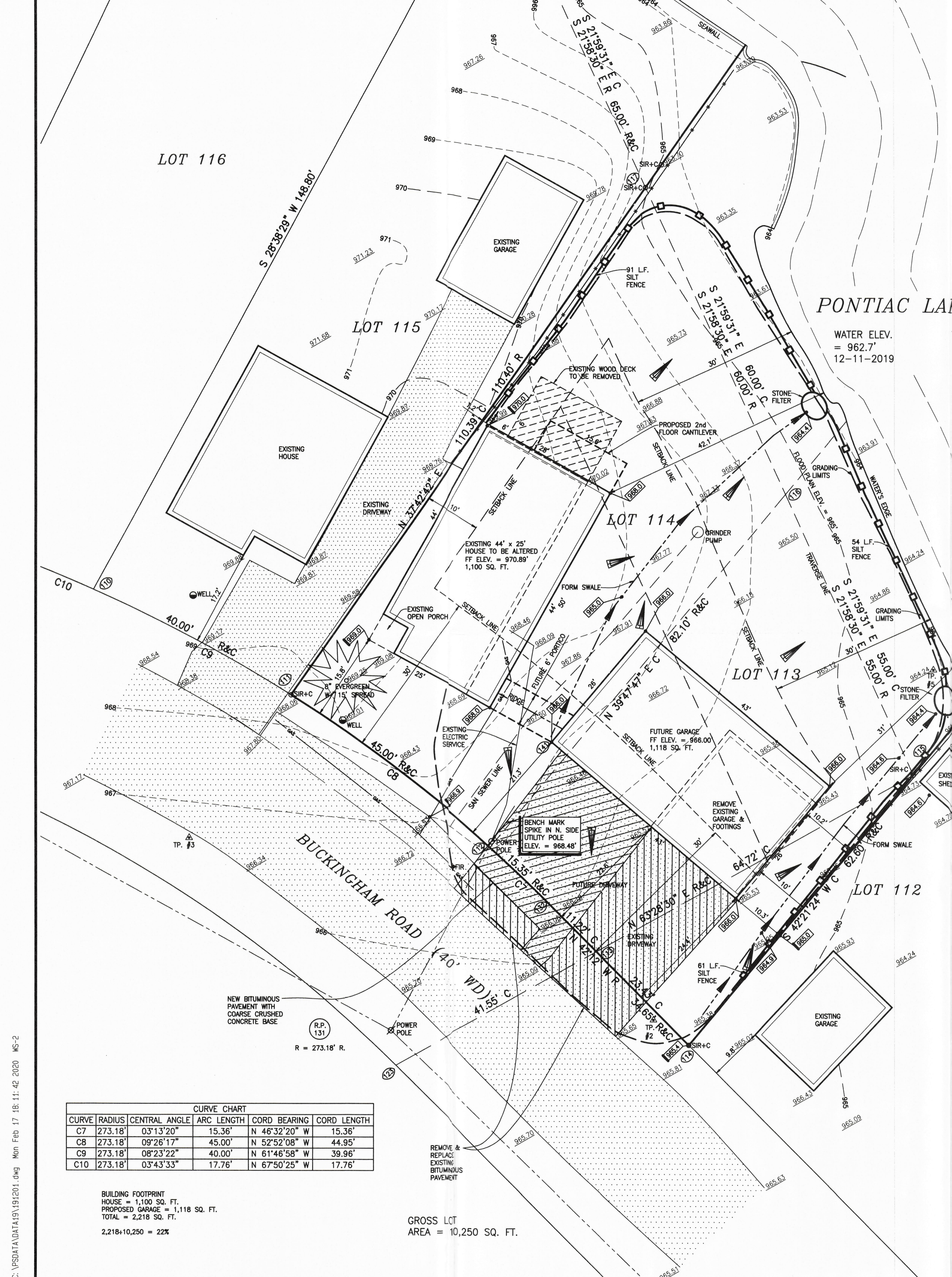
Due to the close proximity of the existing homes in this area, it is our recommendation that provisions within the White Lake Township Zoning Ordinance remain without variance as it pertains to the proposed vertical addition to the address known as 9120 Buckingham.

If you have any further questions, feel free to contact us.

Respectfully,

  
John Holland  
Fire Marshal

  
Rich Marinucci  
Fire Chief



10

PONTIAC LAKE

WATER ELEV. = 962.7' 12-11-2019

- SOIL EROSION CONTROL AND MAINTENANCE NOTES:
1. ALL EROSION AND SEDIMENT CONTROL PROCEDURES SHALL CONFORM TO OAKLAND COUNTY'S DESIGN CRITERIA AND IMPLEMENTATION PROCEDURES FOR EROSION AND SEDIMENTATION CONTROL.
  2. DAILY INSPECTIONS SHALL BE MADE BY THE CONTRACTOR TO DETERMINE EFFECTIVENESS OF EROSION AND SEDIMENTATION CONTROL MEASURES AND ANY NECESSARY REPAIRS SHALL BE PERFORMED WITHOUT DELAY.
  3. EROSION AND SEDIMENTATION FROM WORK ON THIS SITE SHALL BE CONTAINED ON THE SITE AND NOT ALLOWED TO COLLECT ON ANY OFF-SITE AREAS, WETLANDS OR WATERWAYS. WATERWAYS INCLUDE BOTH NATURAL AND MANMADE OPEN DITCHES, STREAMS, STORM DRAINS, LAKES AND PONDS.
  4. EROSION AND SEDIMENTATION CONTROL MEASURES ARE TO BE PLACED PRIOR TO, OR AS THE FIRST STEP IN CONSTRUCTION. SEDIMENT CONTROL PRACTICES SHALL BE APPLIED AS A PERIMETER DEFENSE AGAINST ANY TRANSPORTATION OF SILT OFF THE SITE.
  5. CONTRACTOR SHALL APPLY TEMPORARY EROSION AND SEDIMENTATION CONTROL AS FOLLOWS: SILT FENCE DIVERSION BARRIER WITH STONE OUTLET FILTERS AS HEREON SHOWN AND INSTALL CATCH BASIN/INLET FILTERS.
  6. EROSION AND SEDIMENTATION CONTROL MEASURES SHALL BE PERMANENTLY STABILIZED IMMEDIATELY (WITHIN 5 DAYS) FOLLOWING THE COMMENCEMENT OF THE NEXT PLANTING SEASON. DORMANT SEEDING IS ALSO RECOMMENDED FOR EARLY SPRING GROWTH.
  7. STABILIZE ALL DISTURBED AREAS THAT EXCEED A SLOPE OF 1 ON 4 WITH EXCELSIOR BLANKET OR APPROVED SOIL EROSION CONTROL MATS.
  8. BEGIN BUILDING CONSTRUCTION, PROPOSED FOR WINTER OF 2020.
  9. INSTALL DRY WELLS, PERFORATED TILE AND RIP-RAP. WRAP RIMS WITH GEOTEXTILE FABRIC AND COVER WITH PEA STONE FILTERS.
  10. INSTALL ALL PUBLIC UTILITIES: GAS, ELECTRIC, TELEPHONE ETC.
  11. INSTALL PAVEMENT, REPAIR AND/OR REPLACE STONE INLET AND OUTLET FILTERS AS REQUIRED.
  12. FINISH GRADE, REDISTRIBUTE TOPSOIL AND ESTABLISH VEGETATION AND/OR LANDSCAPE ALL DISTURBED AREAS NOT BUILT UPON OR PAVED. ALL DISTURBED AREAS WITHIN THE RIGHT OF WAY SHALL BE SEED WITHIN 5 DAYS OF FINAL GRADING.
  13. CLEAN PAVEMENTS, WALKS, SWALES, DITCHES, CULVERTS, WATERCOURSES, STORM SEWERS, RETENTION AND/OR DETENTION BASINS, LAKES, STREAMS AND WETLANDS OF ALL ACCUMULATED SEDIMENT IN CONJUNCTION WITH THE REMOVAL OF ALL TEMPORARY SOIL EROSION CONTROL MEASURES. RE-ESTABLISH VEGETATION AS NECESSARY IN DISTURBED AREAS.
  14. COMPLETE BUILDING CONSTRUCTION. COMPLETION PROPOSED FOR SUMMER OF 2020.

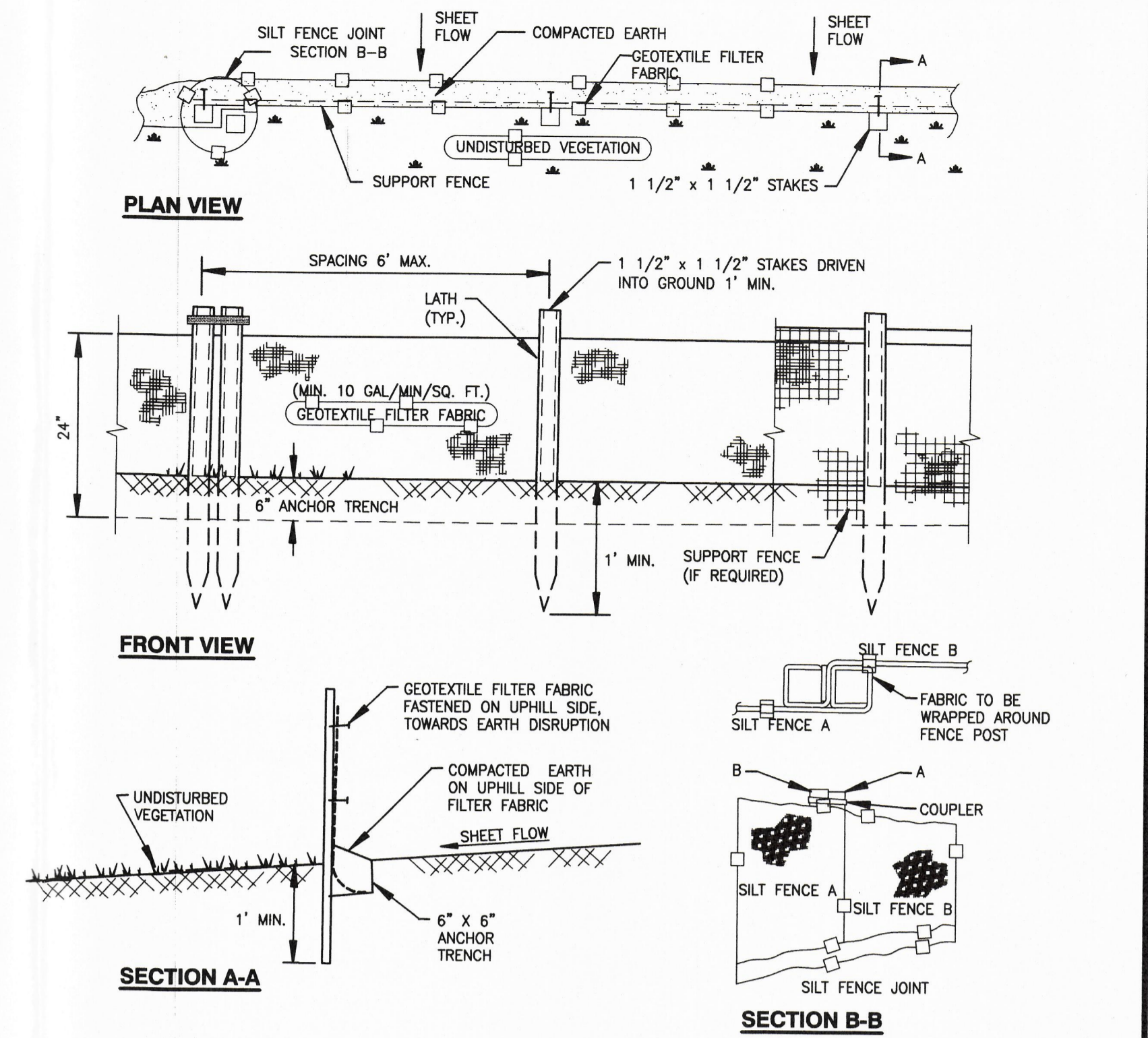
- SEQUENCE OF OPERATIONS FOR SOIL EROSION CONTROL:
1. PROVIDE PERIMETER SEDIMENTATION CONTROLS, AS SPECIFIED IN THE SEQUENCE OF OPERATIONS, AT LOCATIONS AS ILLUSTRATED ON THESE DRAWINGS.
  2. INSTALL GEOTEXTILE SEDIMENT CONTROL FENCE WITH THE TAIL ANCHORED IN A 6" DEEP TRENCH. INSTALL ACCESS DRIVE CONSISTING OF 6" DEEP COARSE CRUSHED CONCRETE ON GEOTEXTILE FABRIC AS ILLUSTRATED.
  3. IF THE PROPOSED PERIMETER PROTECTION CANNOT BE PROPERLY MAINTAINED, OR PROVES TO BE INSUFFICIENT, THEN ADDITIONAL PERIMETER SEDIMENTATION CONTROLS SUCH AS GEOTEXTILE SILT FENCE AND BERMS SHALL BE REQUIRED.
  4. CLEAR, GRUB, STRIP AND STOCKPILE TOPSOIL.
  5. GRADE THE SITE, IMMEDIATELY ESTABLISH VEGETATION ON ALL DITCHES AND SWALES. OR, INSTALL TEMPORARY STABILIZATION DURING THE NON-GROWING SEASON FOR ALL AREAS TO BE SEED OR SOODED. NOTE: ALL AREAS TEMPORARILY STABILIZED DURING THE NON-GROWING SEASON SHALL BE PERMANENTLY STABILIZED IMMEDIATELY (WITHIN 5 DAYS) FOLLOWING THE COMMENCEMENT OF THE NEXT PLANTING SEASON. DORMANT SEEDING IS ALSO RECOMMENDED FOR EARLY SPRING GROWTH.
  6. STABILIZE ALL DISTURBED AREAS THAT EXCEED A SLOPE OF 1 ON 4 WITH EXCELSIOR BLANKET OR APPROVED SOIL EROSION CONTROL MATS.
  7. BEGIN BUILDING CONSTRUCTION, PROPOSED FOR WINTER OF 2020.
  8. INSTALL DRY WELLS, PERFORATED TILE AND RIP-RAP. WRAP RIMS WITH GEOTEXTILE FABRIC AND COVER WITH PEA STONE FILTERS.
  9. INSTALL ALL PUBLIC UTILITIES: GAS, ELECTRIC, TELEPHONE ETC.
  10. INSTALL PAVEMENT, REPAIR AND/OR REPLACE STONE INLET AND OUTLET FILTERS AS REQUIRED.
  11. FINISH GRADE, REDISTRIBUTE TOPSOIL AND ESTABLISH VEGETATION AND/OR LANDSCAPE ALL DISTURBED AREAS NOT BUILT UPON OR PAVED. ALL DISTURBED AREAS WITHIN THE RIGHT OF WAY SHALL BE SEED WITHIN 5 DAYS OF FINAL GRADING.
  12. CLEAN PAVEMENTS, WALKS, SWALES, DITCHES, CULVERTS, WATERCOURSES, STORM SEWERS, RETENTION AND/OR DETENTION BASINS, LAKES, STREAMS AND WETLANDS OF ALL ACCUMULATED SEDIMENT IN CONJUNCTION WITH THE REMOVAL OF ALL TEMPORARY SOIL EROSION CONTROL MEASURES. RE-ESTABLISH VEGETATION AS NECESSARY IN DISTURBED AREAS.
  13. COMPLETE BUILDING CONSTRUCTION. COMPLETION PROPOSED FOR SUMMER OF 2020.

EROSION CONTROL MAINTENANCE MEASURES

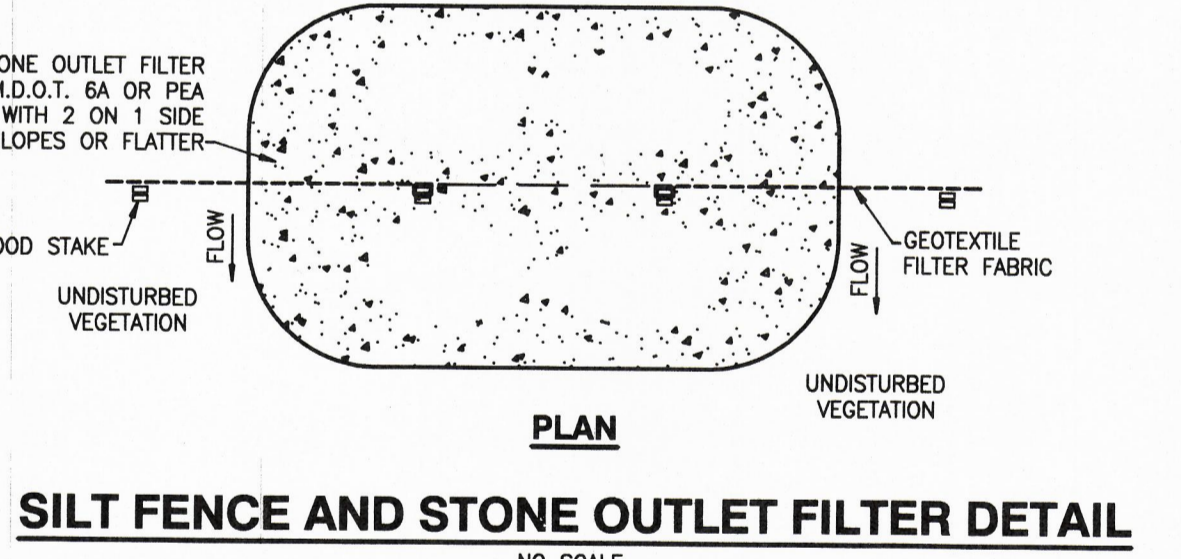
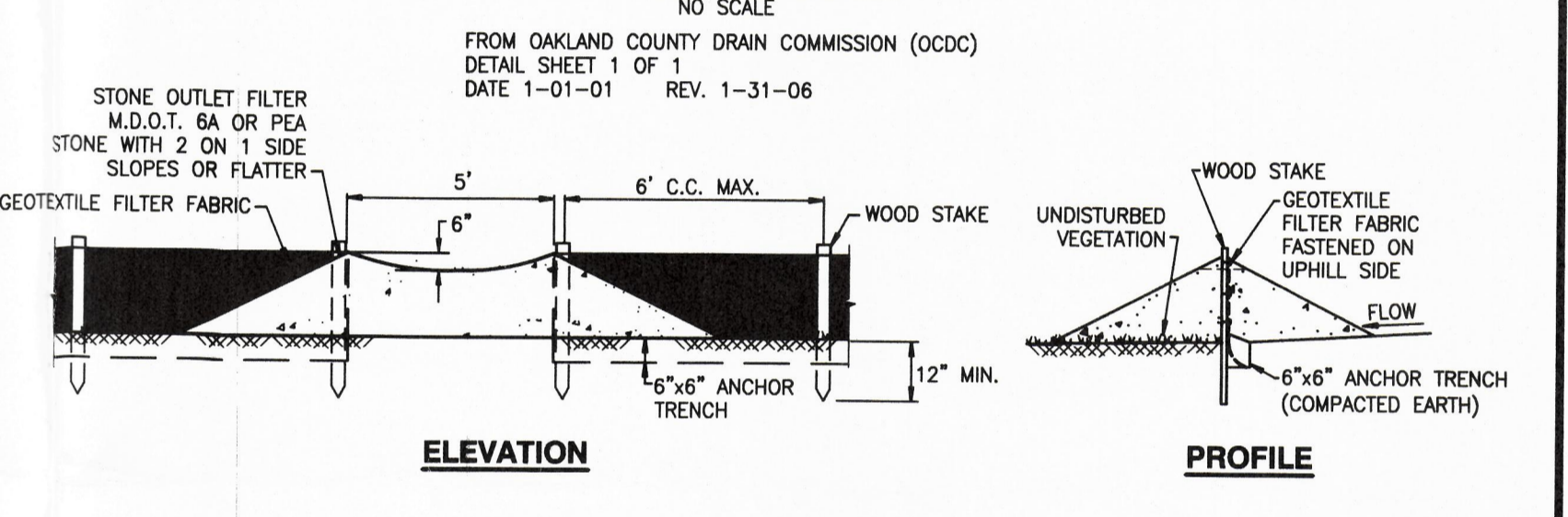
THE CONTRACTOR SHALL INSTALL AND MAINTAIN IN PROPER WORKING ORDER ALL OF THE SOIL EROSION CONTROL STRUCTURES AND MATERIALS AS DETAILED ON THESE PLANS. INSPECTION AND EVALUATION OF SOIL EROSION CONTROL MEASURES SHALL BE PERFORMED AT LEAST DAILY AS WELL AS DURING AND IMMEDIATELY FOLLOWING RAIN OR THAWING. MAINTENANCE SHALL BE PERFORMED AND MODIFICATIONS IN MATERIALS AND METHODS MADE AS REQUIRED TO PREVENT ANY EROSION OF SOILS OR MIGRATION OF SILTS FROM THIS SITE.

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (N.P.D.E.S.) PERMIT REQUIREMENTS REQUIRE WEEKLY INSPECTIONS BY A CERTIFIED STORM WATER MANAGEMENT OPERATOR AS WELL AS INSPECTIONS WITHIN 24 HOURS OF ANY RAINFALL. THESE INSPECTIONS MAY RESULT IN RECOMMENDATIONS FOR MODIFICATIONS AND MAINTENANCE WHICH SHALL BE CARRIED OUT BY THE CONTRACTOR WITHOUT DELAY.

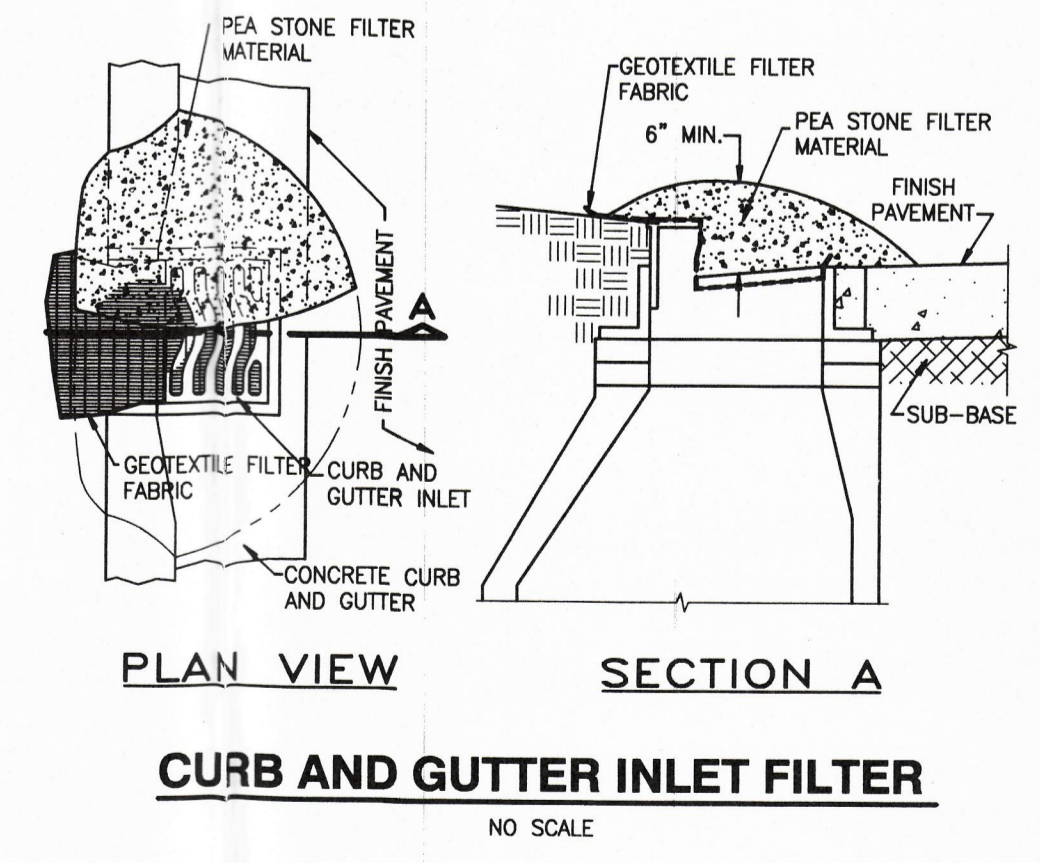
1. THE CONTRACTOR SHALL MAINTAIN, ENLARGE AND REPAIR THE COARSE CRUSHED CONCRETE CONSTRUCTION ACCESS DRIVE AS NECESSARY. COARSE CRUSHED CONCRETE IS TO BE ADDED OR REPLACED WHEN FILLED WITH SEDIMENT. IF PONDS WATER OR IS RUTTED. DRIVERS SHALL BE INSTRUCTED TO CLEAN TIRES, TAILGATES AND HITCHES TO PREVENT MUD, DIRT AND GRAVEL FROM BEING TRANSPORTED OFF SITE.
2. THE CONTRACTOR SHALL IMMEDIATELY REMOVE ALL DIRT TRACKED ONTO OFFSITE PAVEMENT AND ROADWAYS.
3. THE CONTRACTOR SHALL CLEAN THE SILT FROM THE PEA STONE OUTLET FILTERS AND INLET FILTERS AS NECESSARY.
4. THE CONTRACTOR SHALL REPAIR, REPLACE, RETRENCH, REBACKFILL OR ERECT FALLEN DOWN, UNDERMINED OR OVERRUN SILT FENCE AS REQUIRED TO MAINTAIN ITS EFFECTIVENESS TO CONTAIN OR DIRECT STORM WATER TO THE PEA STONE FILTERS.
5. THE CONTRACTOR SHALL CLEAN AND REPLACE THE STONE IN THE INLET FILTERS AND REPLACE TORN OR DAMAGED FILTER FABRIC AS REQUIRED.
6. THE CONTRACTOR SHALL REPAIR ERODED OR DAMAGED SLOPES. THE DAMAGED AREA OF THE SLOPES SHALL BE STABILIZED WITH STONE AND/OR TOPSOIL, SEED AND MULCH OR EROSION CONTROL BLANKETS WITH A THIN COVER OF MULCH.
7. THE CONTRACTOR SHALL REMOVE ALL TEMPORARY EROSION CONTROL STRUCTURES AND MATERIALS WHEN THEY ARE NO LONGER NEEDED AND/OR VEGETATION IS VIGOROUSLY ESTABLISHED OVER UNPAVED AREAS. TOPSOIL, SEED, MULCH AND EROSION CONTROL BLANKETS SHALL BE PLACED OR INSTALLED AS REQUIRED IN AREAS EXPOSED BY THE REMOVAL OF SILT FENCE AND STONE OUTLET FILTERS WHEN THEY ARE NO LONGER NEEDED.



SILT FENCE DETAIL



SILT FENCE AND STONE OUTLET FILTER DETAIL



CURB AND GUTTER INLET FILTER

LEGEND

- FLOW ARROW
- PROPOSED GRADE
- MATCH EXISTING GRADE
- SETBACK LINE
- EXIST. SAN. SEWER
- COARSE CRUSHED CONCRETE
- EXIST. ASPH.

ZONING R1-D  
(SETBACKS)  
FRONT - 30'  
SIDES - 10/20'  
REAR - 30'

CURVE	RADIUS	CENTRAL ANGLE	ARC LENGTH	CORD BEARING	CORD LENGTH
C7	273.18'	03°13'20"	15.36'	N 46°32'20" W	15.36'
C8	273.18'	09°26'17"	45.00'	N 52°52'08" W	44.95'
C9	273.18'	08°23'22"	40.00'	N 61°46'58" W	39.96'
C10	273.18'	03°43'33"	17.76'	N 67°50'25" W	17.76'

BUILDING FOOTPRINT  
HOUSE = 1,100 SQ. FT.  
PROPOSED GARAGE = 1,118 SQ. FT.  
TOTAL = 2,218 SQ. FT.  
2,218/10,250 = 22%

GROSS LOT  
AREA = 10,250 SQ. FT.

72 HOURS (3 WORKING DAYS) BEFORE YOU DIG CALL MISS DIG DIAL 811 (TOLL FREE)

FIELD BOOK: \_\_\_\_\_ PAGE: \_\_\_\_\_  
FIELD BOOK: \_\_\_\_\_ PAGE: \_\_\_\_\_  
DRAWING FILE: 191201.dwg  
DATA FILE: 191201P  
DESC. FILE: 191201

GRANT J. WARD  
REGISTERED LAND SURVEYOR  
LICENSE NO. 2445

**LOTS 113 & 114 SITE PLAN**  
ENGLISH VILLAS SUBDIVISION, L. 51, P. 22, LOTS 113 & 114, T.3N., R.8E., OAKLAND COUNTY, SECTION 14, P.L.L. #12-14-280-014  
9120 BUCKINGHAM STREET, WHITE LAKE, MICHIGAN 48386

For **KIMBERLY E. McFADDEN & JOHN SHUELL**  
91693 BONNIE BRIAR  
WHITE LAKE, MICHIGAN 48386  
jshuell7@comcast.net (248) 672-9420

DATE: FEBRUARY 17, 2020  
DECEMBER 26, 2019

SHEET 1 OF 1  
SCALE: 1" = 10'  
JOB NO.: 19-1201

REGISTERED LAND SURVEYORS  
655 BROADWAY - P.O. BOX 440  
DAVISBURG, MICHIGAN 48350  
PHONE: (248) 634-0700  
EMAIL: GWS@TR.COM

LOTS 113 & 114  
12-14-280-014  
9120 BUCKINGHAM STREET

Surveying Michigan with pride





PONTIAC LAKE

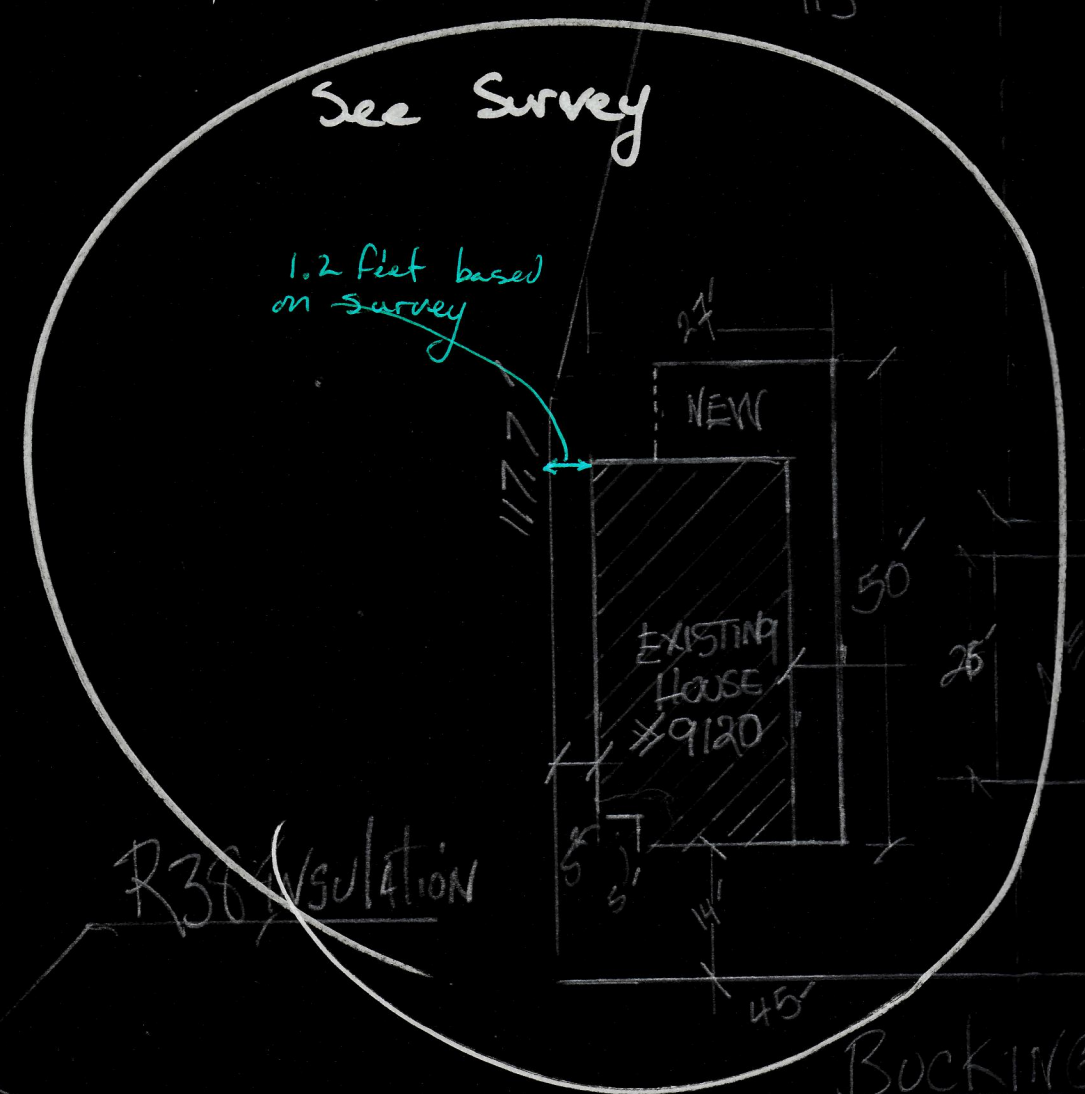
Misrepresented

LOT 113

LOT 114

See Survey

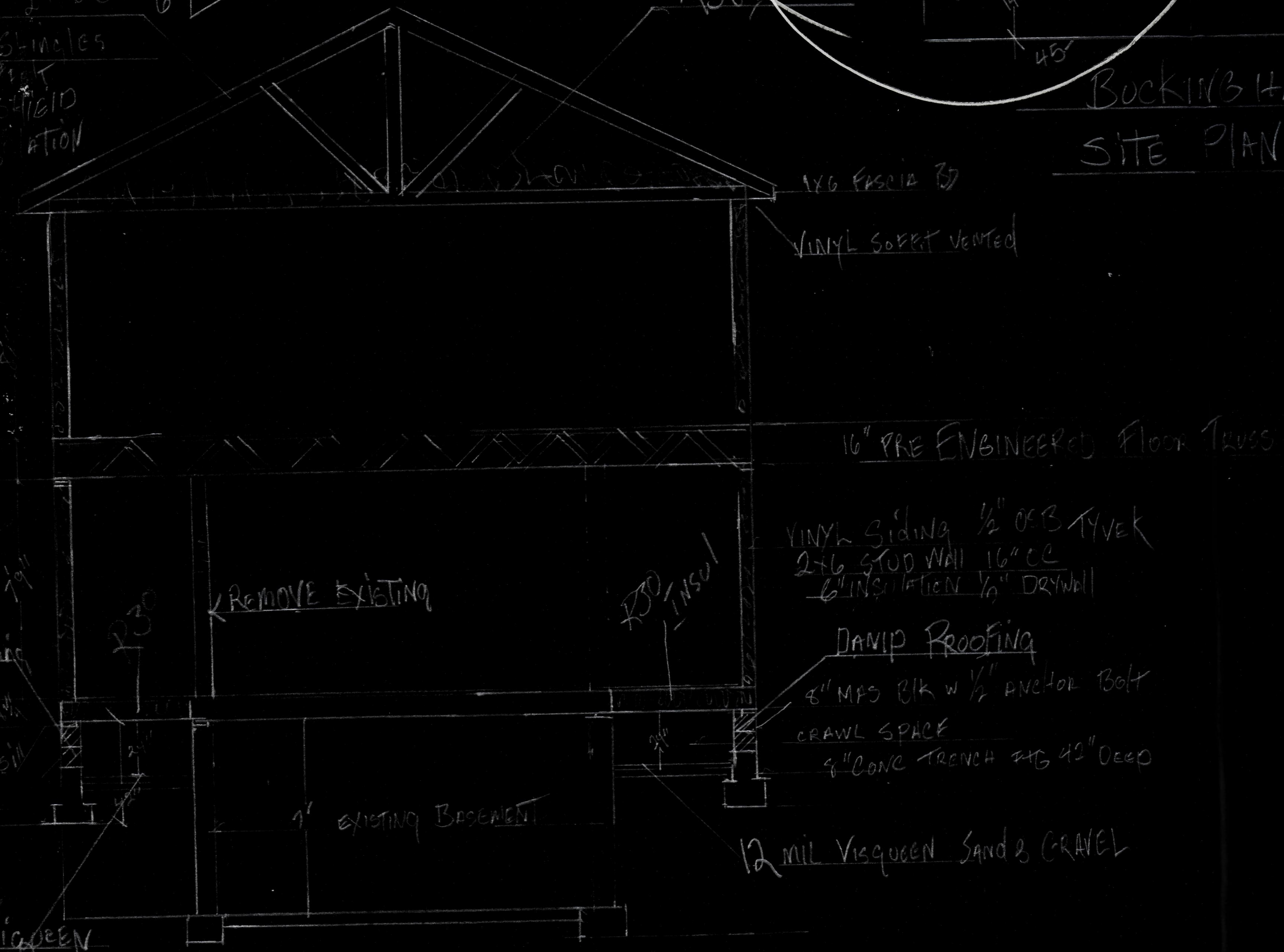
1.2 feet based on survey



NORTH

BUCKINGHAM SITE PLAN 1"=20'

ROOFING 2" OC  
 DELTA SHINGLES  
 1/2" OSB 15'x15'  
 3/8" ICE SHIELD  
 R-8 INSULATION



REMOVE EXISTING

1" EXISTING BASEMENT

SECTION 1/4"=1"



REAR ELEVATION 1/4"=1"

9120 Buckingham







