

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

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

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

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

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

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

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

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

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

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

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

Powell: YES.

Dehart: YES.

Schillack: YES.

Spencer: YES.

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

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

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

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

Staff Planner Quagliata gave his staff report.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Schillack: YES; this was a self-imposed hardship

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

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

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

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

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

Staff Planner Quagliata gave his staff report.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Spencer: YES; there was no practical difficulty.

Other Business

a. Bylaw Amendments

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

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

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

b. Election of Officers

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

c. Survey Requirement Resolution

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

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

Next Meeting Date: February 25, 2021

**WHITE LAKE TOWNSHIP
ZONING BOARD OF APPEALS**

**REPORT OF THE
COMMUNITY DEVELOPMENT DEPARTMENT**

TO: Zoning Board of Appeals
FROM: Justin Quagliata, Staff Planner
DATE: February 25, 2021

Agenda item: 5a

Appeal Date: February 25, 2021 (Tabled from January 28, 2021)

Applicant: Robert Snapp

Address: 3960 Woodmere Drive
Waterford, MI 48329

Zoning: R1-D Single Family Residential

Location: 8834 Arlington Road
White Lake, MI 48386

Property Description

The approximately 0.158-acre (6,980 square feet) parcel identified as 8834 Arlington Road is located on Pontiac Lake and zoned R1-D (Single Family Residential). The public sanitary sewer system is available to serve the site.

Applicant's Proposal

Robert Snapp, the applicant, is proposing to demolish the existing 975 square foot house and construct a new house.

Planner's Report

The existing house was built in 1938 and is nonconforming because it does not meet the west side yard setback. A minimum 10-foot side yard setback is required in the R1-D zoning district. The parcel is also nonconforming due to a 5,020 square foot deficiency in lot area and a 30-foot deficiency in lot width (50 feet in width at the front lot line); in the R1-D zoning district the minimum lot size requirement is 12,000 square feet and the minimum lot width requirement is 80 feet.

The applicant is proposing to demolish the existing house to construct an approximately 3,000 square foot two-story house with an attached two-car garage. The proposed house would be located 7.71 feet from the west property line and 8.5 feet from the east property line; therefore, a 2.29-foot variance is being requested to encroach into the west side yard setback and a 1.5-foot variance is being requested to encroach into the east side yard setback. Additionally, the proposed lot coverage is 33% (2,284.75 square feet), which is 13% (888.75 square feet) beyond the 20% maximum lot coverage allowed (1,396 square feet).

The requested variances are listed in the following table.

Variance #	Ordinance Section	Subject	Standard	Requested Variance	Result
1	Article 3.1.6.E	Side yard setback	10 feet	2.29 feet (west) 1.5 feet (east)	7.71 feet (west) 8.5 feet (east)
2	Article 3.1.6.E	Maximum lot coverage	20% (1,396 square feet)	13% (888.75 square feet)	33% (2284.75 square feet)
3	Article 3.1.6.E	Minimum lot size	12,000 square feet	5,020 square feet	6,980 square feet
4	Article 3.1.6.E	Minimum lot width	80 feet	30 feet	50 feet

Zoning Board of Appeals Options:

Approval: I move to approve the variances requested by Robert Snapp from Article 3.1.6.E of the Zoning Ordinance for Parcel Number 12-13-176-002, identified as 8834 Arlington Road, in order to construct a new house that would exceed the allowed lot coverage by 13% and encroach 2.29 feet into the required west side yard setback and 1.5 feet into the required east side yard setback. A 30-foot variance from the required lot width and 5,020 square foot variance from the required lot size are also granted from Article 3.1.6.E. This approval will have the following conditions:

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

Denial: I move to deny the variances requested by Robert Snapp for Parcel Number 12-13-176-002, identified as 8834 Arlington Road, due to the following reason(s):

Table: I move to table the variance requests of Robert Snapp for Parcel Number 12-13-176-002, identified as 8834 Arlington Road, to consider comments stated during this public hearing.

Attachments:

1. Variance application dated November 16, 2020.
2. Applicant's written statement dated November 23, 2020.
3. Sketch of survey received February 10, 2021.
4. Letter of denial from the Building Department dated November 9, 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.

Marianne Moran
248-880-3535

mmoran925@gmail.com

**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: Robert Snapp PHONE: 248-804-2873

ADDRESS: 3960 Woodmere Dr. Waterford, MI 48329

APPLICANT'S INTEREST IN PROPERTY: OWNER BUILDER OTHER: _____

ADDRESS OF AFFECTED PROPERTY: 8834 Arlington PARCEL # 12-13-176-002

CURRENT ZONING: 21-D PARCEL SIZE: 0.158

STATE REQUESTED VARIANCE AND ORDINANCE SECTION: _____

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

To be emailed

APPLICATION FEE: 385⁰⁰ (CALCULATED BY THE PLANNING DEPARTMENT)

APPLICANT'S SIGNATURE: _____ DATE: 11/16/2020

Justin Quagliata

From: Justin Quagliata
Sent: Monday, November 23, 2020 3:10 PM
To: 'Marianne'
Subject: RE: 8834 Arlington - Variance Mtg.

Marianne,

Here is the ordinance link:

<http://www.whitelaketwp.com/Portals/1082/Docs/2019/Clearzoning%20Ordinance%2012-17-2018.pdf>

Justin

Justin Quagliata
Staff Planner
White Lake Township
7525 Highland Road
White Lake, MI 48383
(248) 698-3300 x 177
www.whitelaketwp.com



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From: Marianne <mmoran925@gmail.com>
Sent: Monday, November 23, 2020 2:59 PM
To: Justin Quagliata <JustinQ@whitelaketwp.com>
Subject: Re: 8834 Arlington - Variance Mtg.

Thanks for getting back with me Justin.

Can you send me a link to the ordinance? I can't seem to find Article 7.

Thanks

Marianne

On Mon, Nov 23, 2020 at 2:44 PM Justin Quagliata <JustinQ@whitelaketwp.com> wrote:

Marianne,

I'm sorry I missed your call. The Planning Dept. is working from home this week due to Covid. The variance standards we discussed are found in Article 7, Section 37 of the zoning ordinance. If you have any questions, feel free to call me on my cell (248) 505-7820.

Thanks,
Justin

Sent from my iPhone

On Nov 23, 2020, at 2:38 PM, Marianne <mmoran925@gmail.com> wrote:

Hi Justin,

I left a couple messages for you regarding the zoning ordinance you referred me to. I could not find it.

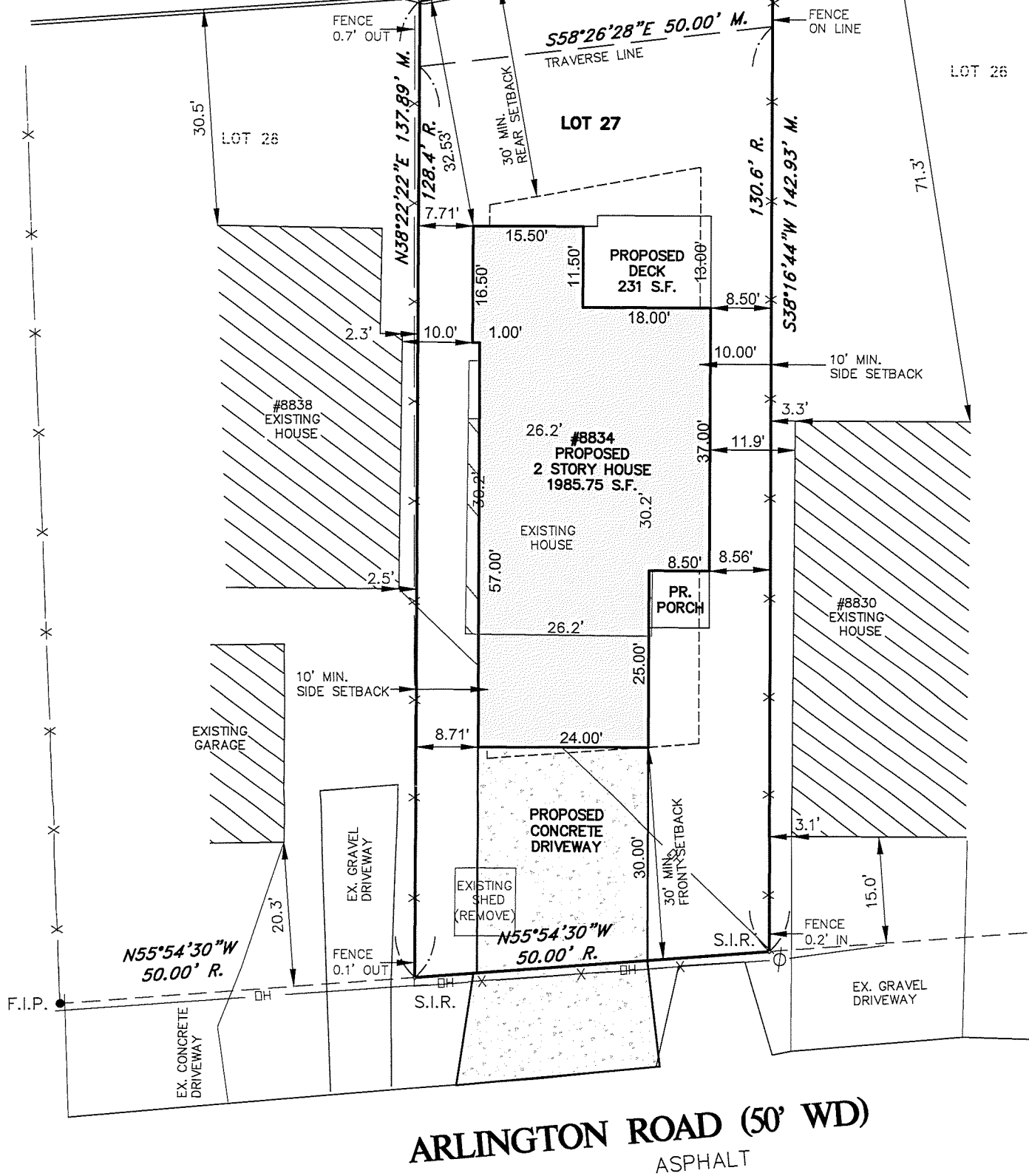
Since I have not heard back from you, I will just explain here why we need the variance.

1. Existing 50ft wide lot minus 10ft set back on each side of property, leaves 30ft wide buildable lot.
2. Conform to neighborhood new homes on similar size property on Pontiac Lake. I.e. 2718 Tackles Rd, and 2267 Kingston St., both on Pontiac Lake.
3. The necessity for a garage to store boat and house cars.

When available, please send me the agenda and call-in information for the December 17 zoning appeals meeting.

If you need more information, please do not hesitate to contact me.

Sincerely,
Marianne Moran
(248)880-3535



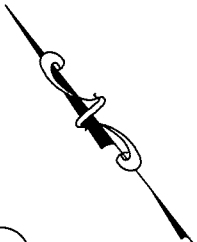
NOTE:
FENCES MEANDERING
PROPERTY LINES AS SHOWN.

SITE CRITERIA

- ADDRESS: 8834 ARLINGTON RD.
- PARCEL ID NO.: 12-13-176-002
- ZONING: R1-D (SINGLE FAMILY RESIDENTIAL)
- AREA OF PARCEL: 6980 S.F.
- AREA OF HOUSE AND GARAGE = 1985.75 S.F. =28%
- AREA OF PORCHES = 299 S.F.
- MAXIMUM LOT COVERAGE = 2284.75 S.F. =33%
- MINIMUM SETBACKS:

FRONT: 30.0 FEET
REAR: 30.0 FEET
SIDE : 10.0 FEET

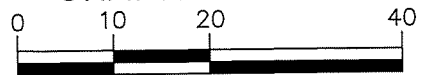
**3 WORKING DAYS
BEFORE YOU DIG
CALL 811**
FOR FREE LOCATION
OF PUBLIC UTILITY LINES



LEGEND

- R. ——— RECORD
- M. ——— MEASURED
- F.I.P. ——— SET IRON PIPE
- S.I.R. ——— SET IRON ROD
- S.N. ——— SET NOTCH
- φ ——— UTILITY POLE
- X ——— X ——— FENCE LINE
- DH ——— DH ——— OVERHEAD LINE

GRAPHIC SCALE



(IN FEET)
1 INCH = 20 FT.

REVISION 2: 2-10-2021 UPDATE SETBACKS
REVISION 1: 1-11-2021 UPDATE SETBACKS

PROPERTY DESCRIPTION:

LOT 27, "ENGLISH VILLAS SUBDIVISION", as recorded in Liber 51 of plats, Pages 22 and 22A, Oakland County Records.
TAX PARCEL ID NO. 12-13-176-002

ROBERT SNAPP 8834 ARLINGTON RD. WHITE LAKE, MI. 48386	SCALE: 1"= 20'	JOB No: 20-091
	DATE: 11/14/2020	BK/PG 22/41

AYMAN TA

L
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Phil Kowall, Supervisor
Terry Liles, Clerk
Mike Roman, Treasurer



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

WHITE LAKE TOWNSHIP

7525 Highland Road - White Lake, Michigan 48383-2800 - (248) 688-3000 - www.white-lake-twp.com

November 9, 2020

Robert Snapp
3960 Woodmere
Waterford, MI 48329

RE: Proposed Residential Structure at 8834 Arlington

Based on the submitted plans, the proposed residential structure does not satisfy the White Lake Township Clear Zoning Ordinance for R1-D zoning district.

Article 3.1.6 of the White Lake Township Clear Zoning Ordinance: Requires a minimum lot width of 80 ft, minimum side yard setback of 10 ft each side, minimum rear yard setback of 30 ft, minimum lot size of 12,000 sf, and maximum lot coverage of 20%.

The proposed structure would be erected upon a non-conforming lot. The lot has a square footage of 6882.5 sf of a required 12,000 sf which equates to 25.5% coverage. The lot width is 50 ft of a minimum 80 ft. The proposed rear yard setback is 27 ft of the required 30 ft, and the proposed side yard setback is 5 ft of a required 10 ft.

Approval of the building plans would be subject to a variance to the schedule of regulations, Article 7 of the White Lake Township Clear Zoning Ordinance. As well, a certified survey will be required prior to any variance considerations. Please get in touch with the White Lake Township Planning Department if you plan to seek a variance. Cutoff for application to the December 10th Zoning Board of Appeals meeting is November 16th.

Sincerely,

A handwritten signature in black ink, appearing to read "Nick Spencer".

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: Justin Quagliata, Staff Planner
DATE: February 25, 2021

Agenda item: 6a

Appeal Date: February 25, 2021

Applicant: Scott Grant

Address: 9411 Bonnie Briar Drive
White Lake, MI 48386

Zoning: R1-D Single Family Residential

Location: 9411 Bonnie Briar Drive
White Lake, MI 48386

Property Description

The approximately 0.379-acre (16,509.24 square feet) parcel identified as 9411 Bonnie Briar Drive is located within the English Villas subdivision on Pontiac Lake and zoned R1-D (Single Family Residential). The existing house on the property (approximately 3,091 square feet in size) utilizes a private well for potable water and the public sanitary sewer system for sanitation. The three and three-quarters lot (Lots 299, 300, 301, and part of 302) contains 313.53 feet in width at the front property line.

Applicant's Proposal

Scott Grant, the applicant, intends to remove an existing unenclosed deck from the south side of the house and construct an enclosed porch.

Planner's Report

The existing house was built in 1938 and is nonconforming because it is located 14 feet from the front property line and 20.7 feet from the canal to the west. Article 3, Section 11.Q of the zoning ordinance prohibits buildings or structures from being located closer than 25 feet to any regulated wetland, submerged land, watercourse, pond, stream, lake or like body of water. Additionally, the minimum rear yard setback is 30 feet in the R1-D zoning district. The applicant intends to construct the new enclosed porch 16 feet from the water's edge; therefore, a 14-foot variance is being requested.

The requested variance is listed in the following table.

Variance #	Ordinance Section	Subject	Standard	Requested Variance	Result
1	Article 3.1.6.E	Rear yard setback	30 feet	14 feet	16 feet

Zoning Board of Appeals Options:

Approval: I move to approve the variance requested by Scott Grant from Article 3.1.6.E of the Zoning Ordinance for Parcel Number 12-14-277-001, identified as 9411 Bonnie Briar Drive, in order to construct an enclosed porch that would encroach 14 feet into the required rear yard setback. This approval will have the following conditions:

- The Applicant shall obtain all necessary permits from the White Lake Township Building Department.
- An as-built survey shall be required to verify the approved rear yard setback.

Denial: I move to deny the variance requested by Scott Grant for Parcel Number 12-14-277-001, identified as 9411 Bonnie Briar Drive, due to the following reason(s):

Table: I move to table the variance request of Scott Grant for Parcel Number 12-14-277-001, identified as 9411 Bonnie Briar Drive, to consider comments stated during this public hearing.

Attachments:

1. Variance application dated January 27, 2021.
2. Deck plans dated February 20, 2020 (revision date November 25, 2020).
3. Letter of denial from the Building Department dated January 13, 2021.

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

RECEIVED
JAN 27 2021
COMMUNITY
DEVELOPMENT
DEPARTMENT

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

APPLICANT'S NAME: Scott Grant PHONE: 248-978-9481

ADDRESS: 9411 Bonnie Briar, White Lake, MI 48386

APPLICANT'S EMAIL ADDRESS: Scott Grant13@yahoo.com

APPLICANT'S INTEREST IN PROPERTY: OWNER BUILDER OTHER: _____

ADDRESS OF AFFECTED PROPERTY: 9411 Bonnie Briar PARCEL # 12 - 14-277-001

CURRENT ZONING: Residential PARCEL SIZE: 0.379 Acres

STATE REQUESTED VARIANCE AND ORDINANCE SECTION: Article 3.1.6 of the White Lake Clear Zoning Ordinance. Min rear yard setback of 30' From Structure to water edge.

VALUE OF IMPROVEMENT: \$ 30,000 SEV OF EXISTING STRUCTURE: \$ 211,000

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

We would like to update the existing deck to include a roof covering and for it to be screened in. The deck is currently south facing and receives full sun. Having a screened in porch will provide a shaded area while allowing us to enjoy the beauty Pontiac Lake has to offer without the inconvenience of many mosquitos/insects and cotton wood buds. An updated roof line will create a more uniform appearance for the neighborhood.

Additional Sheet Attached.

APPLICATION FEE: \$385 (CALCULATED BY THE PLANNING DEPARTMENT)

APPLICANT'S SIGNATURE: [Signature] DATE: 1-27-2021

Rik Kowall, Supervisor
Anthony L. Noble, Clerk
Mike Roman, Treasurer



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

WHITE LAKE TOWNSHIP

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

January 13, 2021

Scott Grant
9411 Bonnie Briar
White Lake, MI 48386

RE: Proposed Alteration

Based on the submitted plans, the proposed covered structure does not satisfy the White Lake Township Clear Zoning Ordinance for R1-D zoning district.

Article 3.1.6 of the White Lake Township Clear Zoning Ordinance: Requires a minimum rear yard setback of 30 ft from any point of the structure to the nearest water's edge, as well as a maximum lot coverage of 20%

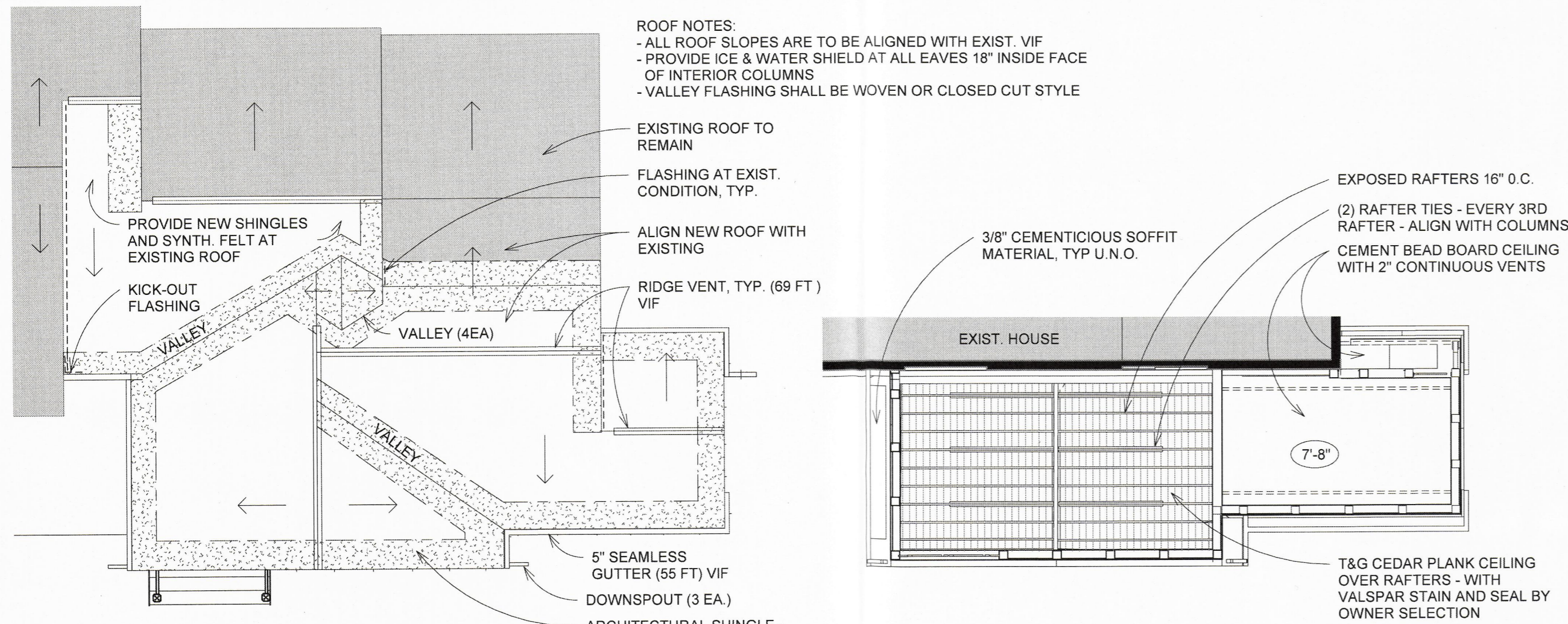
The proposed alteration would have a rear yard setback less than 21 ft from the nearest water's edge. Also, it is not clear from the submitted plans, but it appears the combined total of all existing and proposed structures may exceed the maximum 20% lot coverage.

Approval of the building plans would be subject to a variance to the schedule of regulations, Article 7 of the White Lake Township Clear Zoning Ordinance. Please get in touch with the White Lake Township Planning Department if you plan to seek a variance. Cutoff for application to the February 25th Zoning Board of Appeals meeting is January 28th.

If you do wish to seek a variance, the plot plans will need to be updated with total lot coverage calculations. Further, the measurement from the edge of water to proposed covered structure should be updated to indicate the nearest water's edge to the structure. Please also update the address on the plot plan and building permit to reflect the address of the property.

Sincerely,

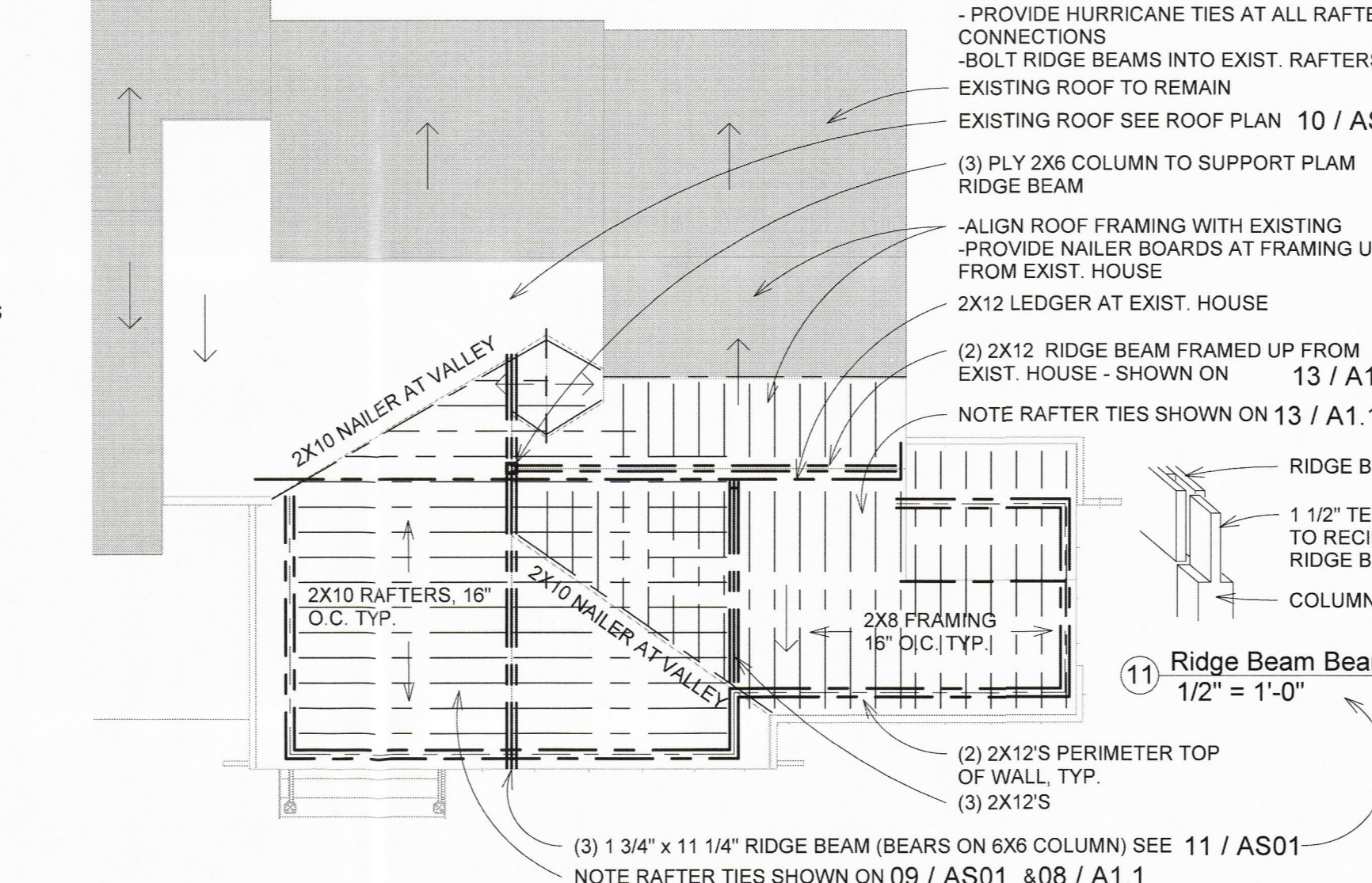
Nick Spencer, Building Official
White Lake Township



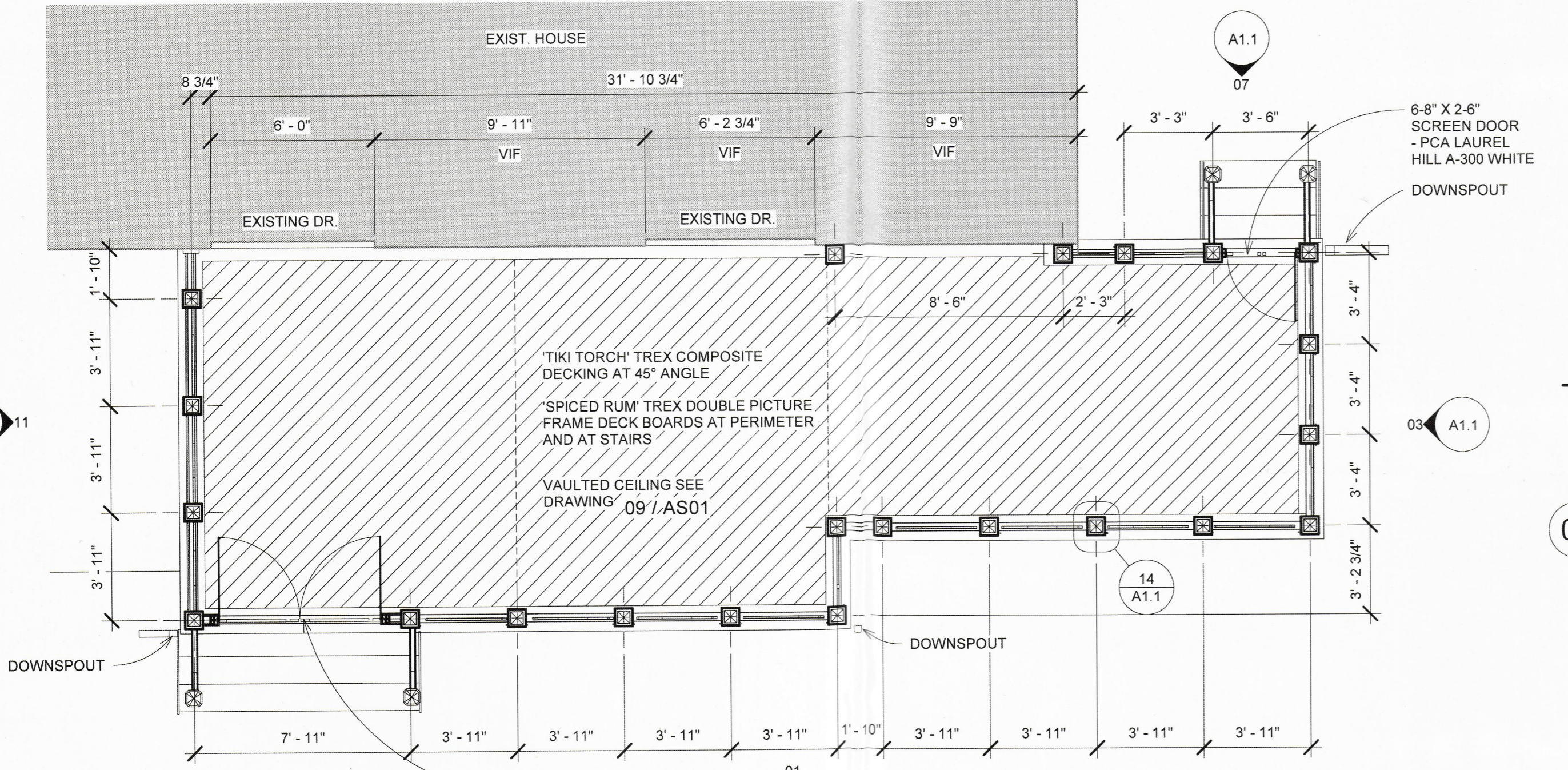
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Scale: 1/8" = 1'-0"
Ref:

09 AS01 Reflected Ceiling Plan
Scale: 1/8" = 1'-0"
Ref: A.1.1

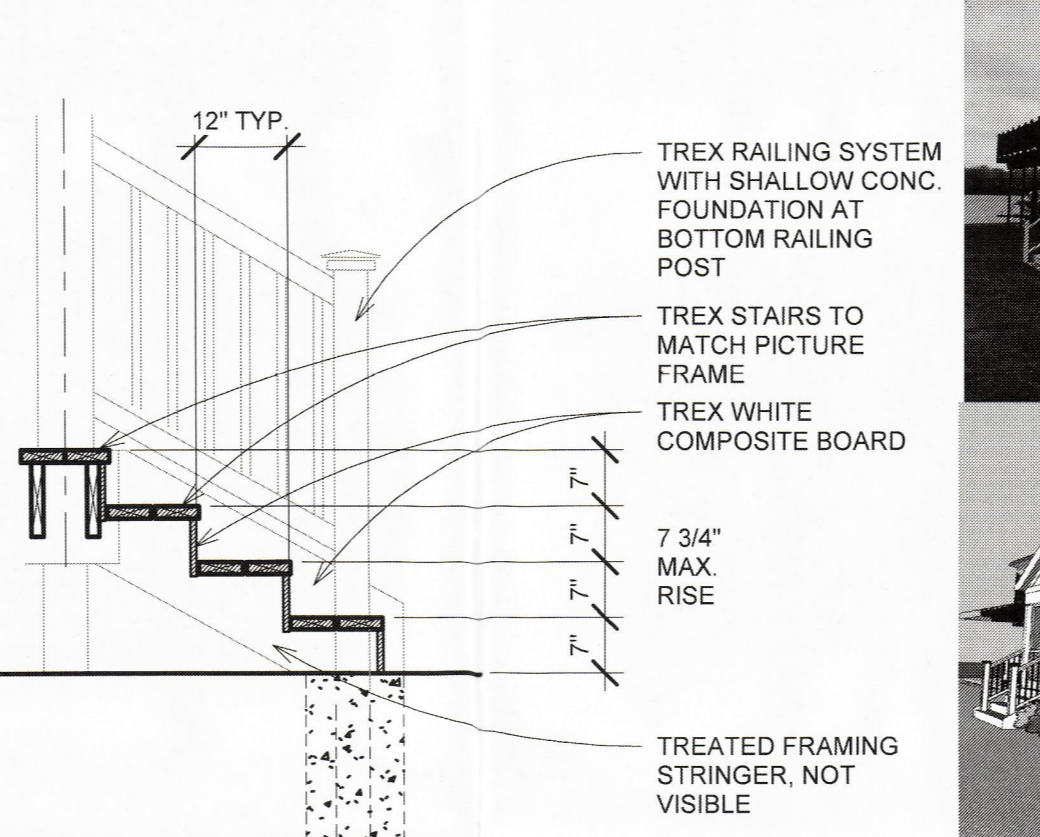
06 AS01 Roof Framing
Scale: 1/8" = 1'-0"
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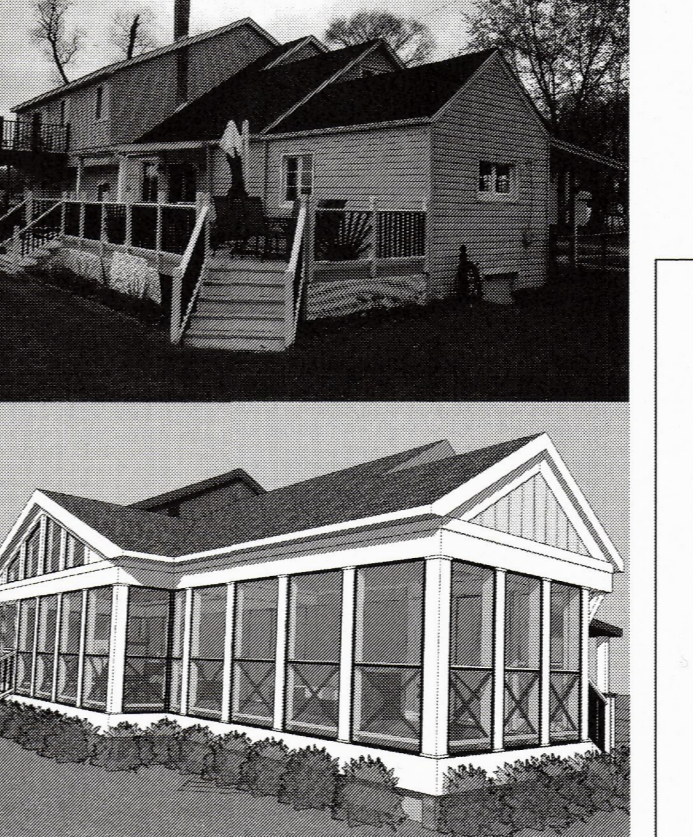
- ROOF FRAMING NOTES:**
- PROVIDE HURRICANE TIES AT ALL RAFTER CONNECTIONS
 - BOLT RIDGE BEAMS INTO EXIST. RAFTERS EXISTING ROOF SEE ROOF PLAN 10 / AS01
 - (3) PLY 2X6 COLUMN TO SUPPORT PLAM RIDGE BEAM
 - ALIGN ROOF FRAMING WITH EXISTING PROVIDE NAILER BOARDS AT FRAMING UP FROM EXIST. HOUSE
 - 2X12 LEDGER AT EXIST. HOUSE
 - (2) 2X12 RIDGE BEAM FRAMED UP FROM EXIST. HOUSE - SHOWN ON 13 / A.1.1
 - NOTE RAFTER TIES SHOWN ON 13 / A.1.1
- GENERAL NOTES:**
- WORK SHALL COMPLY IN ALL RESPECTS TO ALL APPLICABLE LOCAL, STATE AND FEDERAL LAWS, CODES, AND REGULATIONS. THESE DOCUMENTS, ALSO REFERRED TO AS DRAWINGS, DO NOT RELIEVE THE CONTRACTOR FROM RESPONSIBILITY FOR FOLLOWING THE MINIMUM GUIDELINES SET FORTH IN CURRENT EDITION OF THE MICHIGAN RESIDENTIAL CODE. THIS PUBLICATION IS CONSIDERED PART OF THESE SPECIFICATIONS AND REQUIREMENTS.
 - WORK SHALL COMPLY TO ALL MATERIAL MANUFACTURER'S WRITTEN SPECIFICATIONS AND RECOMMENDATIONS.
 - DEVIATIONS FROM THESE DRAWINGS SHALL BE MADE ONLY WITH WRITTEN ARCHITECT APPROVAL.
 - IF ANY GENERAL NOTE CONFLICTS WITH ANY DETAIL OR NOTE ON THE PLANS OR SPECIFICATIONS, THE STRICTEST PROVISION SHALL GOVERN.
 - THE CONTRACTOR SHALL VISIT THE SITE AND FAMILIARIZE HIMSELF WITH ALL EXISTING CONDITIONS PRIOR TO COMMENCING WITH WORK.
 - CALL MISS DIG AND LOCATE ALL UTILITIES AND SERVICES ON SITE PRIOR TO EXCAVATION OR WORK.
 - DO NOT SCALE DRAWINGS. SCALES NOTED ON THE DRAWINGS ARE FOR GENERAL INFORMATION ONLY.
 - FIELD DIMENSION CONDITIONS VARY FROM THOSE ON THE DRAWINGS CLARIFY WITH THE ARCHITECT.
 - ALL CONTRACTORS ARE REQUIRED TO BOTH VISIT THE SITE AND BECOME FAMILIAR WITH THE PROJECT PRIOR TO SUBMITTING A BID OR PROPOSAL.
- FOUNDATION NOTES:**
- FOUNDATIONS BEARING ON EXISTING SOILS ARE DESIGNED FOR A MINIMUM ALLOWABLE SOIL BEARING CAPACITY OF 2,500 PSF UNLESS NOTED OTHERWISE. THE ALLOWABLE SOIL BEARING CAPACITY MUST BE VERIFIED BY A REGISTERED SOILS ENGINEER PRIOR TO THE START OF CONSTRUCTION AND IS THE RESPONSIBILITY OF THE CONTRACTOR.
 - ALL FOUNDATIONS ARE TO BE PLACED ON UNDISTURBED SOIL OR SOUND ROCK WITH A SAFE BEARING CAPACITY. NOTIFY THE ARCHITECT IF THE ALLOWABLE SOIL BEARING CAPACITY IS LESS THAN 2,500 PSF SO THAT THE FOUNDATIONS CAN BE REDESIGNED FOR THE NEW ALLOWABLE BEARING CAPACITY.
 - THE CONTRACTOR IS SOLELY RESPONSIBLE FOR THE MEANS AND METHODS OF KEEPING RAIN WATER AND GROUND WATER AWAY FROM THE CONSTRUCTION SITE DURING THE COURSE OF THE PROJECT.
 - WATER SHALL NOT BE ALLOWED TO STAND IN THE FOUNDATION EXCAVATIONS BEFORE OR AFTER CONCRETE IS PLACED. IF BEARING SURFACES BECOME SOFTENED DUE TO WATER, THE CONTRACTOR SHALL EXCAVATE THE SOFTENED MATERIAL AND REPLACE IT WITH CONCRETE.
 - MAINTAIN THE GROUND WATER LEVEL 12" BELOW BOTTOM OF FOUNDATION. CONTRACTOR IS RESPONSIBLE FOR ALL DEWATERING REGARDLESS OF GROUND WATER LEVEL. FOUNDATIONS ARE TO BE POURED IN THE DRY.
- WOOD CONSTRUCTION NOTES:**
- ALL WOOD CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITION OF AITC "TIMBER CONSTRUCTION MANUAL" BY THE AMERICAN INSTITUTE OF TIMBER CONSTRUCTION, AND THE LATEST EDITION OF THE NDS "NATIONAL DESIGN SPECIFICATION FOR WOOD CONSTRUCTION" AS PUBLISHED BY THE AMERICAN FOREST AND PAPER ASSOCIATION.
 - ALL FRAMING LUMBER USED FOR STUDS SHALL BE SPF/STUD (NLGA) OR BETTER GRADE, (UNO), AT 19% MAXIMUM MOISTURE CONTENT.
 - ALL LUMBER USED AS STRUCTURAL LUMBER SUCH AS HEADERS, EXPOSED RAFTERS, AND JOISTS SHALL BE A MINIMUM OF #2 HEM FIR AT 19% MAXIMUM MOISTURE CONTENT.
 - ALL STRUCTURAL COMPOSITE GLUE LAMINATED BEAMS SHALL COMPLY WITH APA EWS LVL STRESS CLASS 1.8E-2600F.
 - SHEATHING SHALL BE IDENTIFIED WITH THE APPROPRIATE TRADE MARK OF THE ENGINEERED WOOD ASSOCIATION (APA) AND SHALL MEET THE REQUIREMENTS FOR THE LATEST EDITION OF THE U.S. PRODUCT STANDARDS FOR CONSTRUCTION AND INDUSTRIAL SHEATHING. ALL EXTERIOR WALL AND ROOF SHEATHING SHALL BE EXPOSURE 1 (ONE). ALL SHEATHING WHICH WILL BE EXPOSED TO WEATHER AFTER COMPLETION SHALL BE EXTERIOR GRADE. FOLLOW APA INSTALLATION GUIDE REQUIREMENTS FOR SHEATHING(NAILING, SPACING, BLOCKING, STORAGE, HANDLING, AND PROTECTION, ETC.)
 - ALL STRUCTURAL LUMBER IN CONTACT WITH CONCRETE, MASONRY, EXPOSED TO THE WEATHER OR LESS THAN 8" ABOVE GRADE SHALL BE PRESSURE PRESERVATIVE TREATED IN ACCORDANCE WITH MICHIGAN RESIDENTIAL CODE R317.
 - ALL HANGERS IN CONTACT WITH PRESSURE TREATED LUMBER SHALL BE SIMPSON G-MAX TRIPLE GALVANIZED, STAINLESS STEEL OR EQUAL.



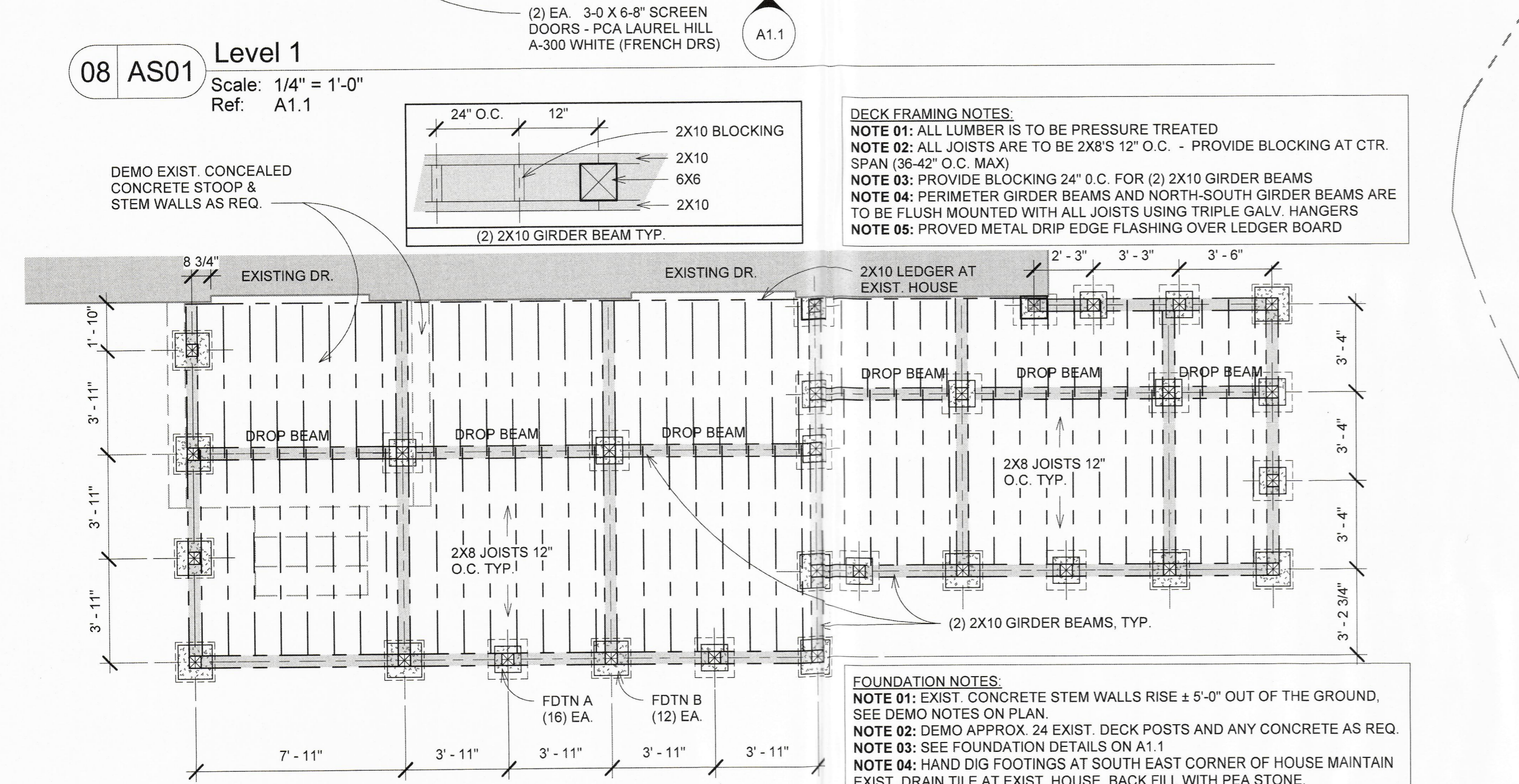
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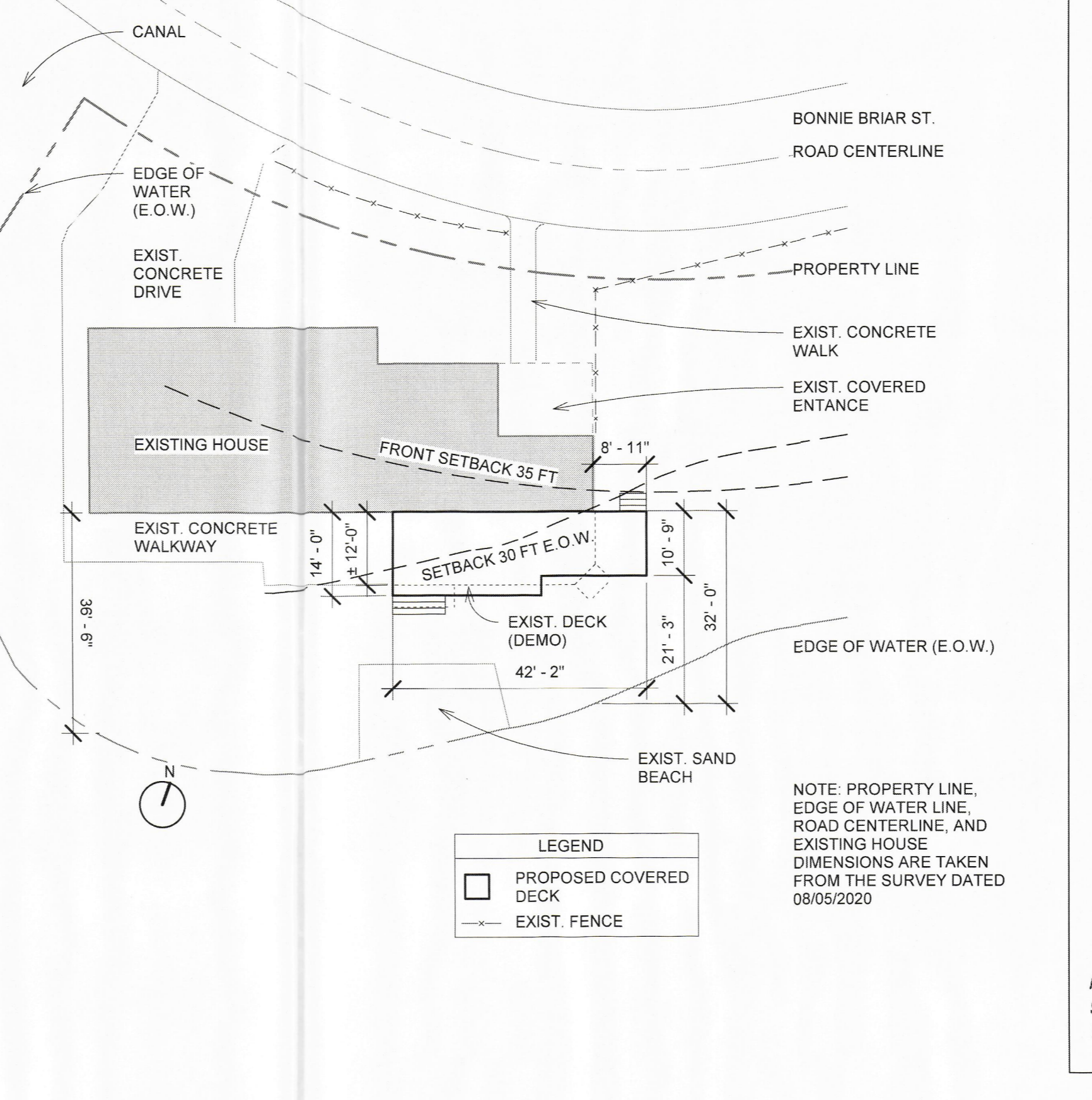
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Scale: 1/2" = 1'-0"
Ref:



04 AS01 Covered Deck



07 AS01 Foundation & Framing
Scale: 1/4" = 1'-0"
Ref:



02 AS01 Architectural Site Plan
Scale: 1" = 20'-0"
Ref: A.1.1

PROPERTY SURVEY
LOTS 299, 300, 301 & PART OF LOT 302

DESCRIPTION
LOTS 299, 300 AND 301, ALSO LOT 302 EXCEPTING THE NORTHERLY PART, BEING 0 FEET IN FRONT AND 20 FEET ON REAR LOT LINE, ENGLISH VILLAS SUBDIVISION, OAKLAND COUNTY, MICHIGAN

LEGEND
 □ PROPOSED COVERED DECK
 --- EXIST. FENCE

MEGHAN AND SCOTT GRANT
9411 BONNIE BRIAR DRIVE
WHITE LAKE, MI 48386

GARY A. WITT, P.S.
31824 WYOMING
LIVONIA, MI 48150
(734) 536-8945

08-05-2020
1"=40'
SHEET 1 OF 1

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COMMUNITY DEVELOPMENT DEPARTMENT

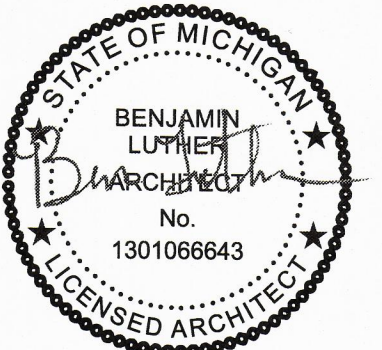
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02/20/2020

01 ISSUED FOR PERMIT 11.25.20

Grant	
Covered Deck Site and Plan	
Project number	-
Date	-
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AS01	
Scale	As indicated



02/20/2020

01 ISSUED FOR PERMIT 11.25.20

Grant

Covered Deck Elevations, and Sections

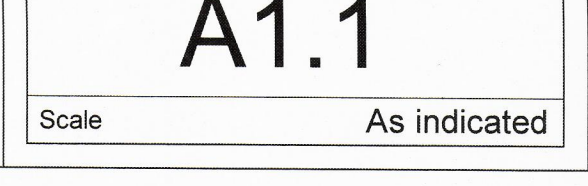
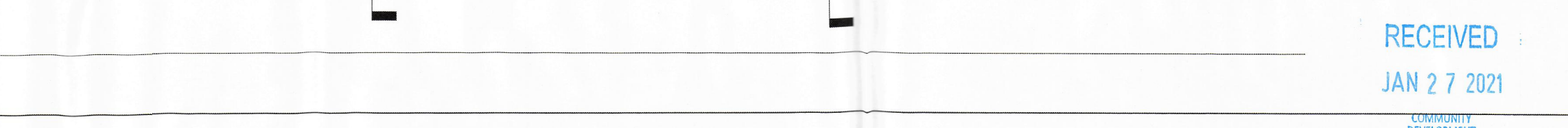
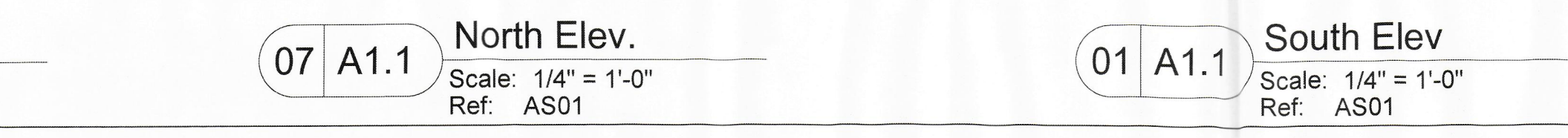
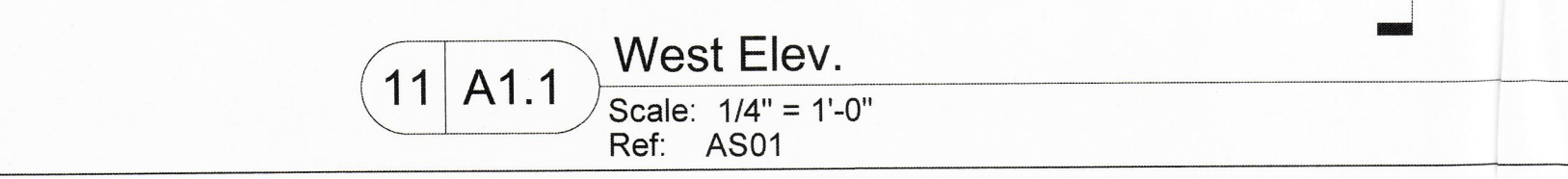
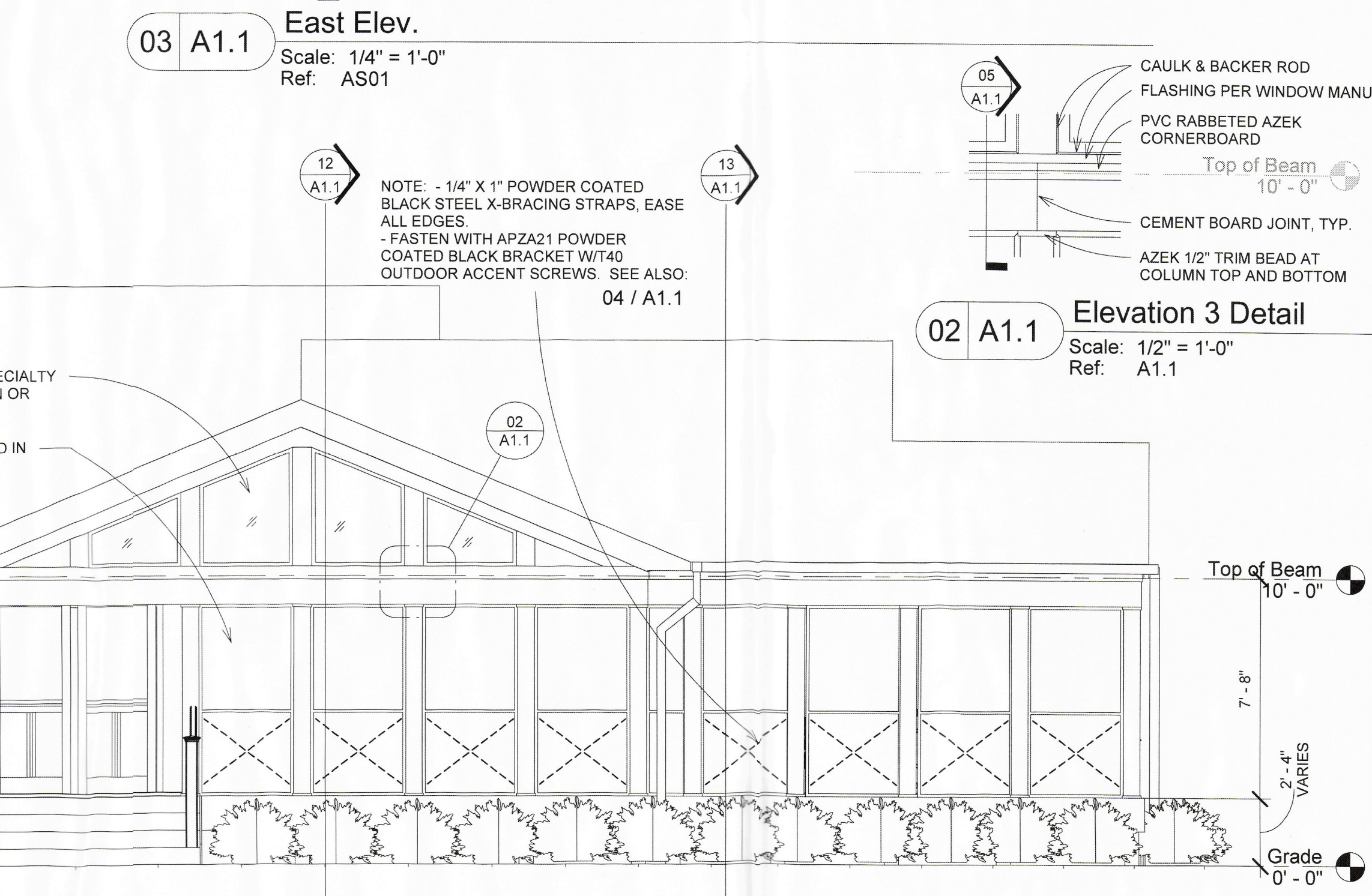
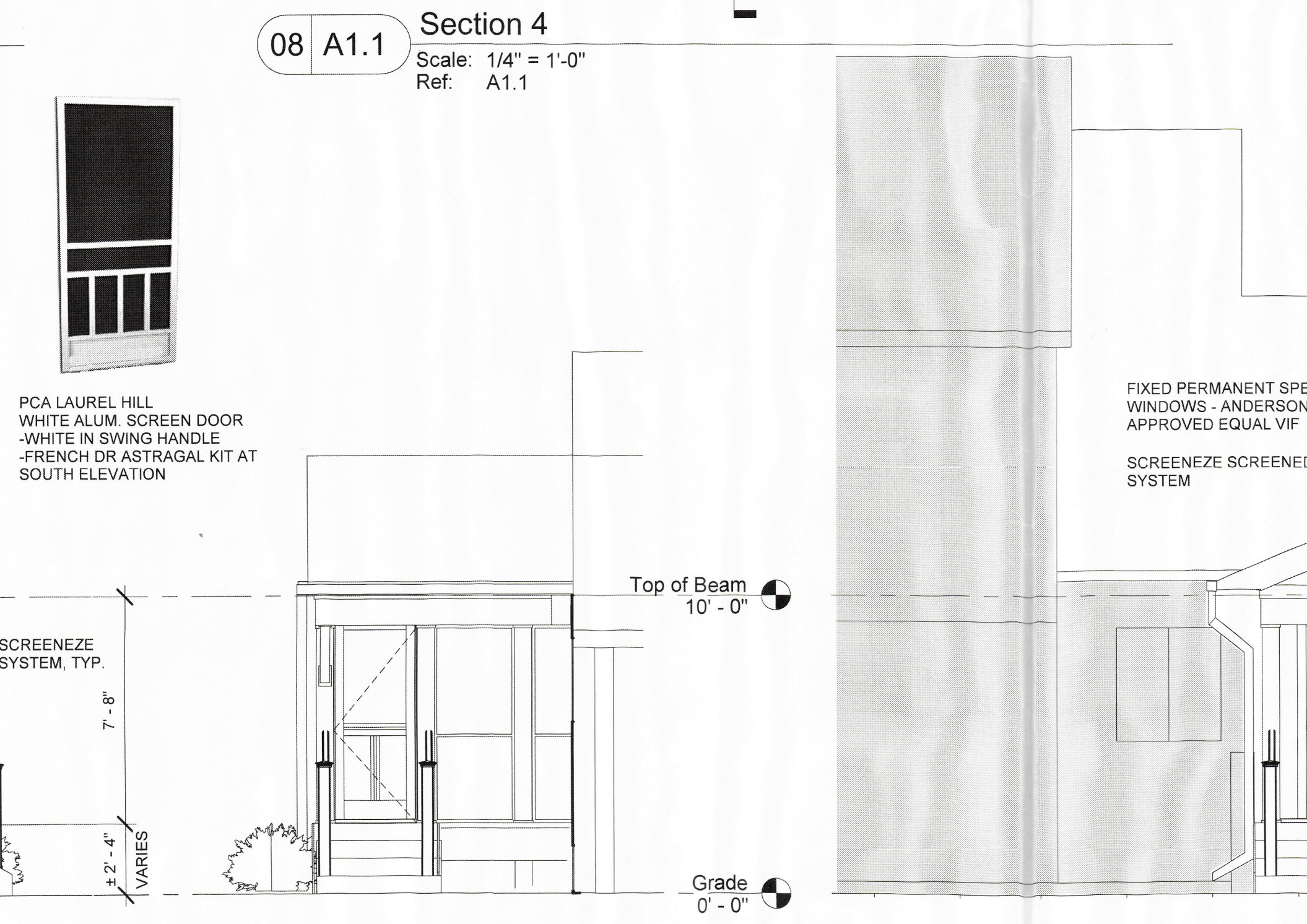
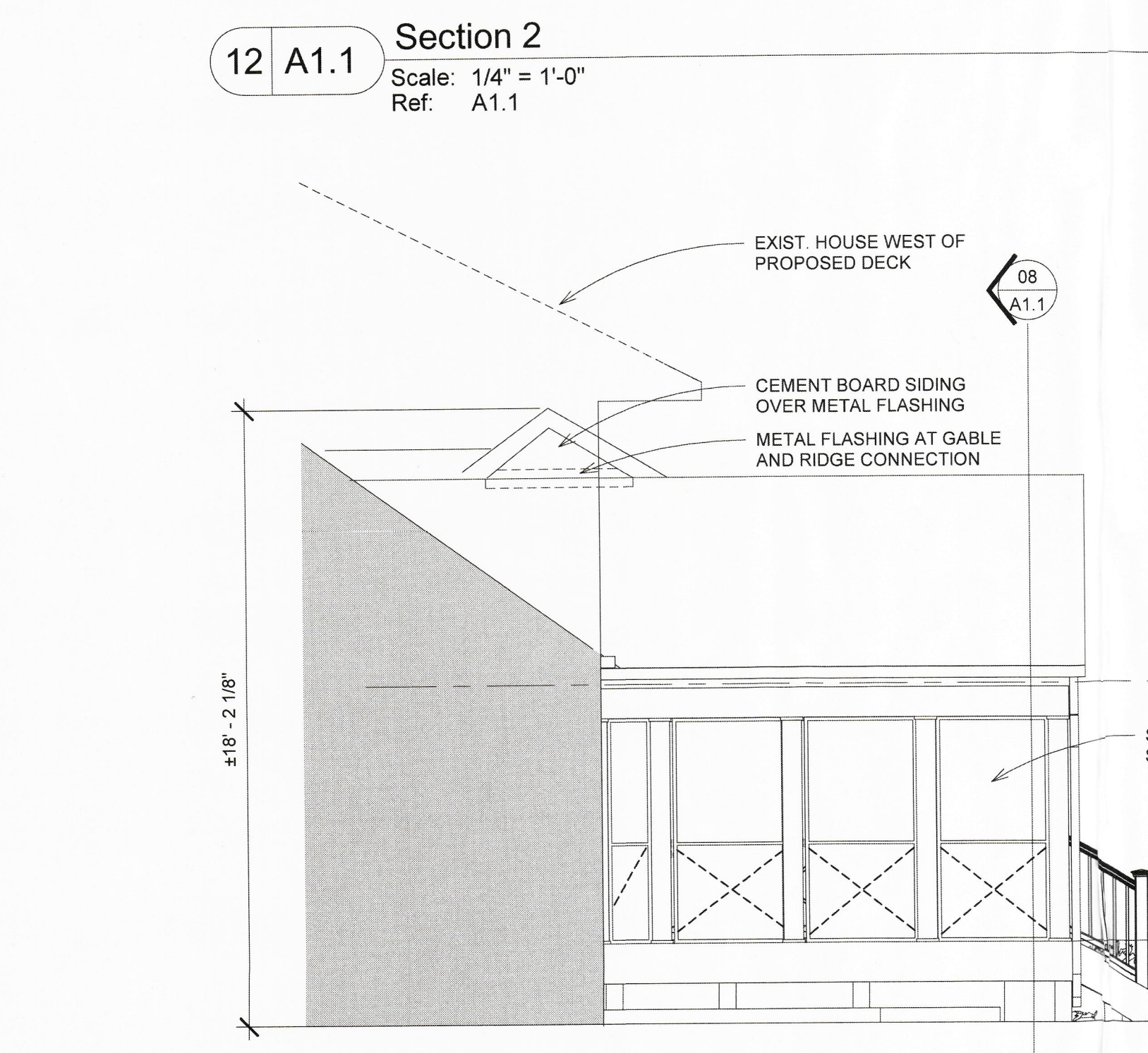
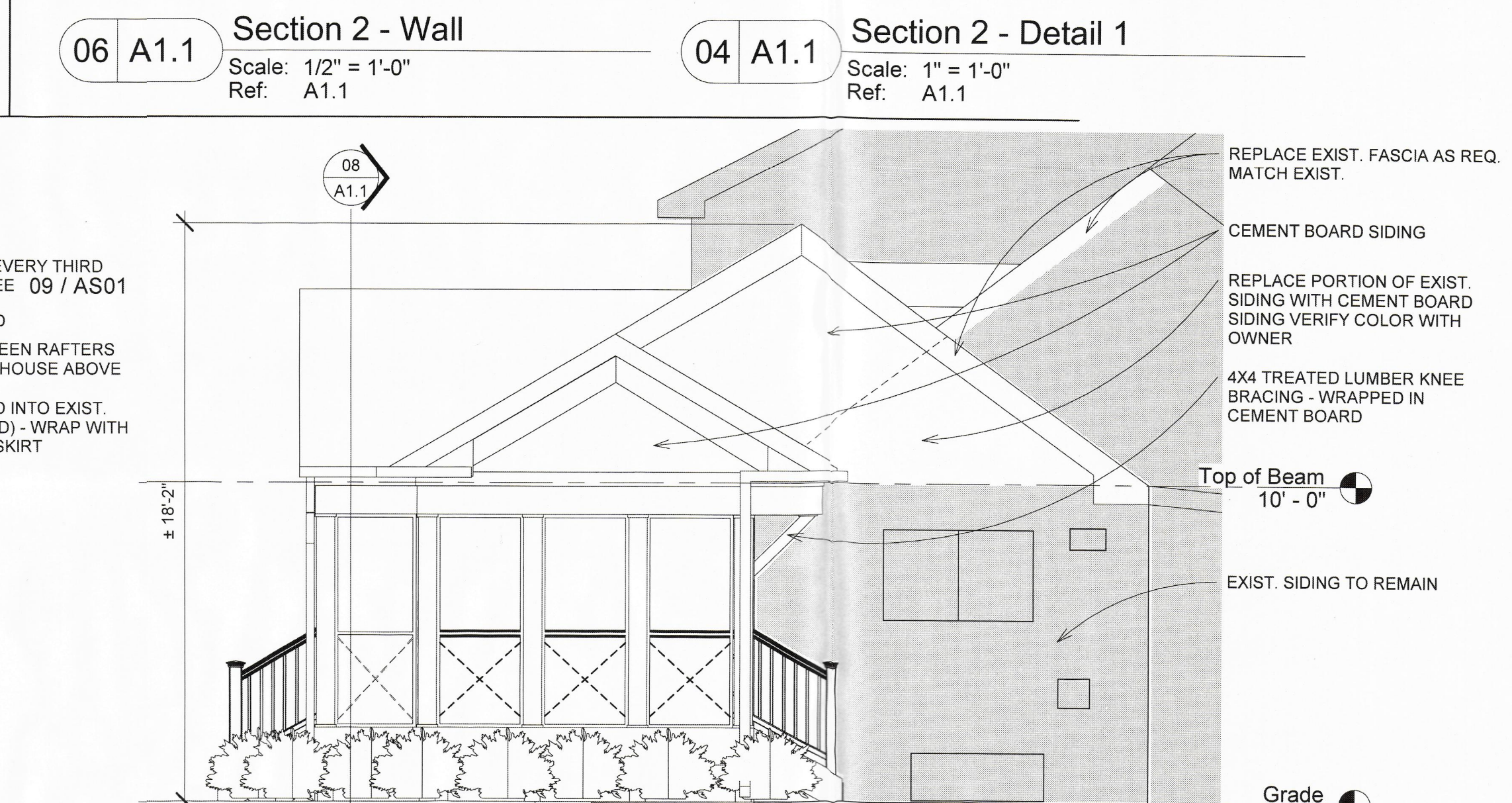
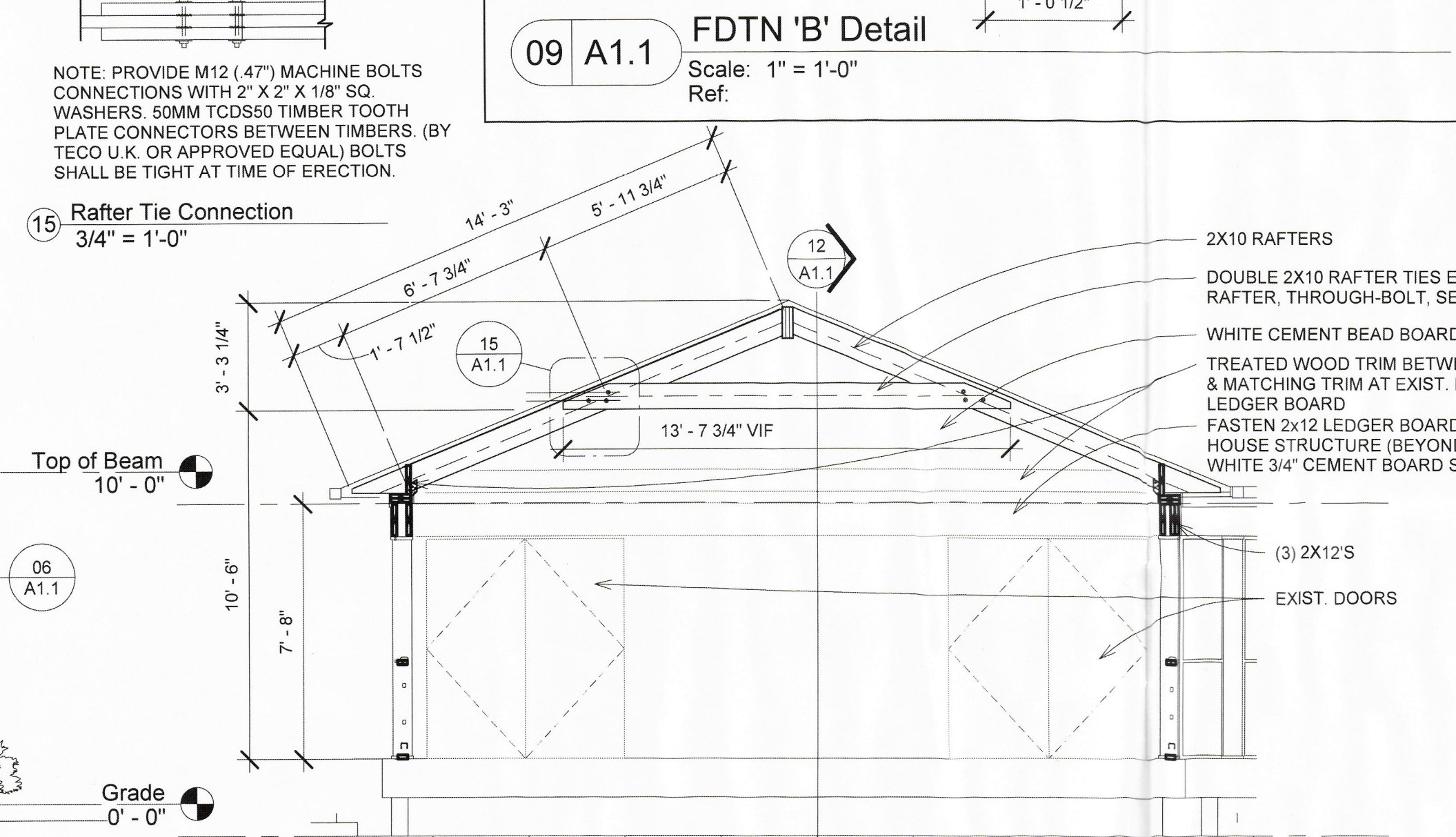
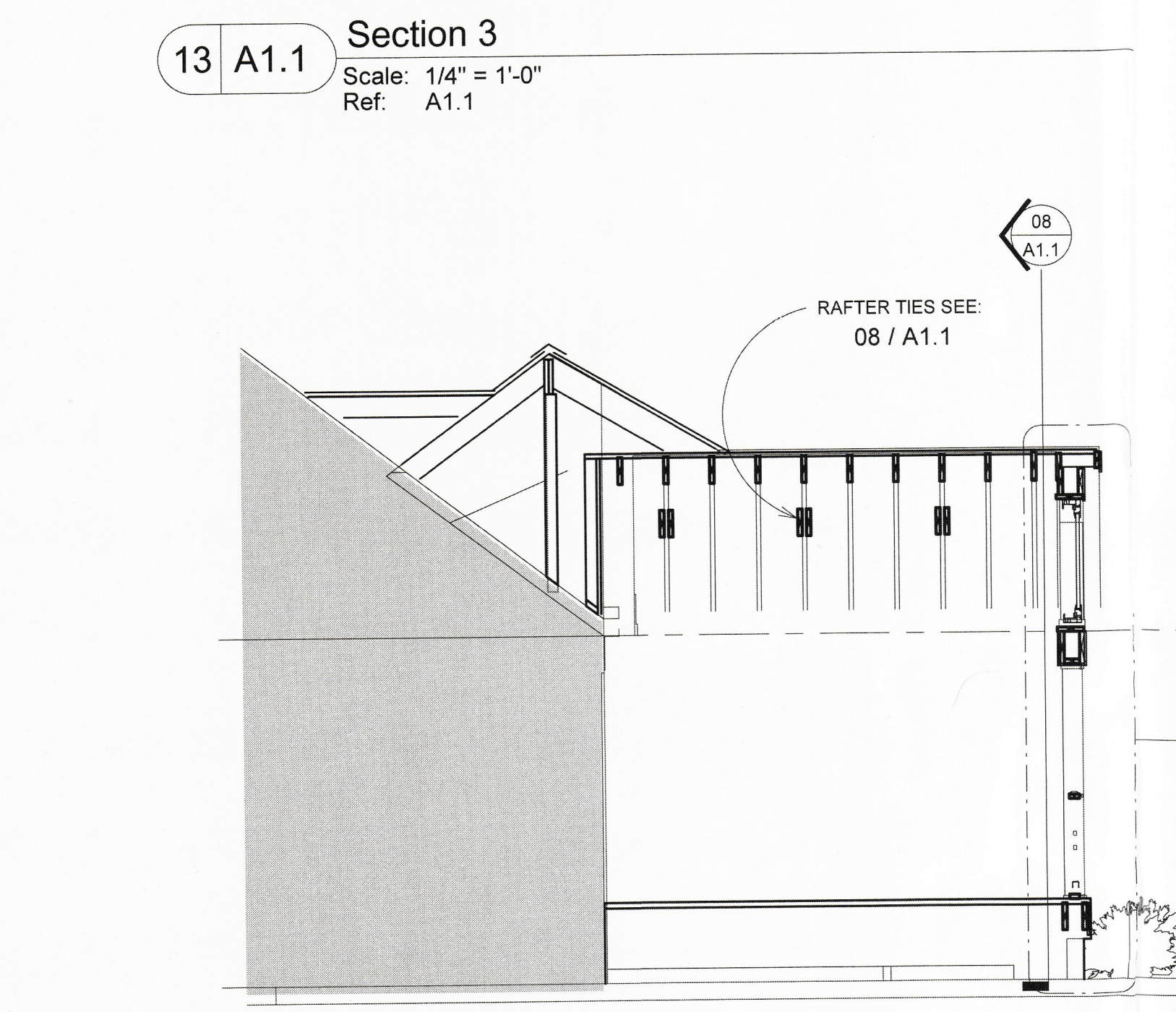
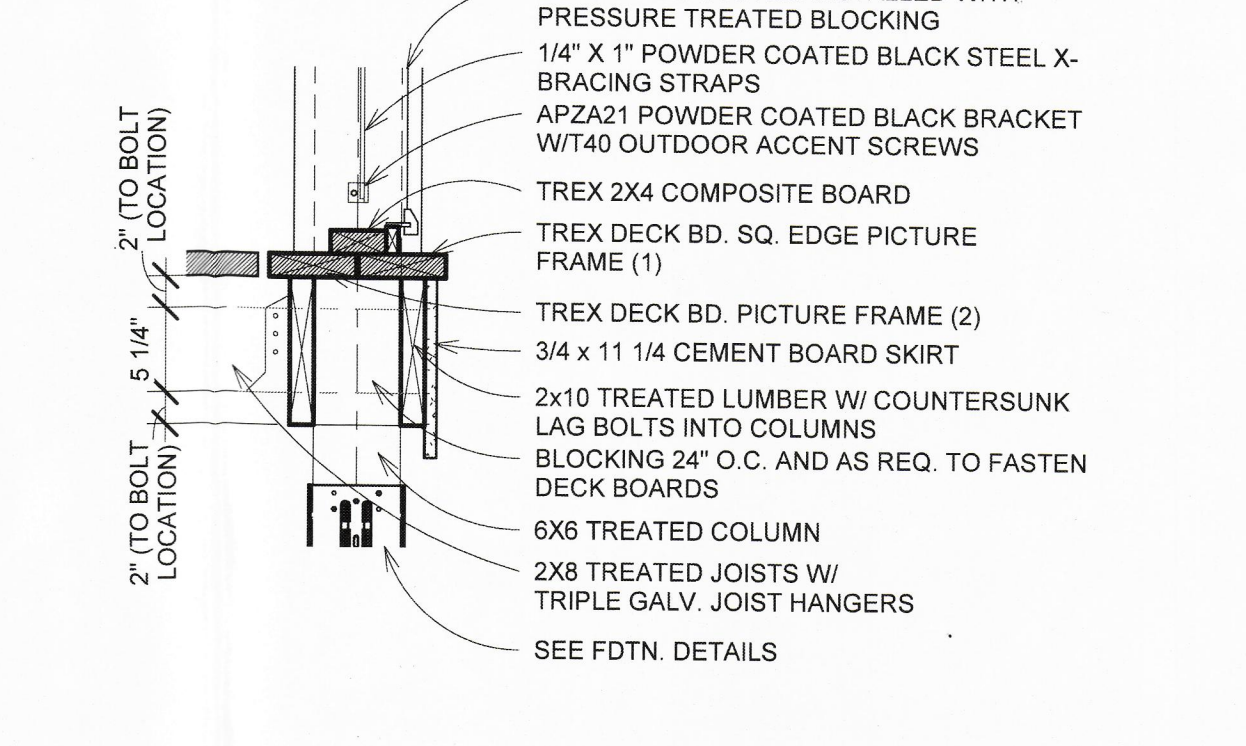
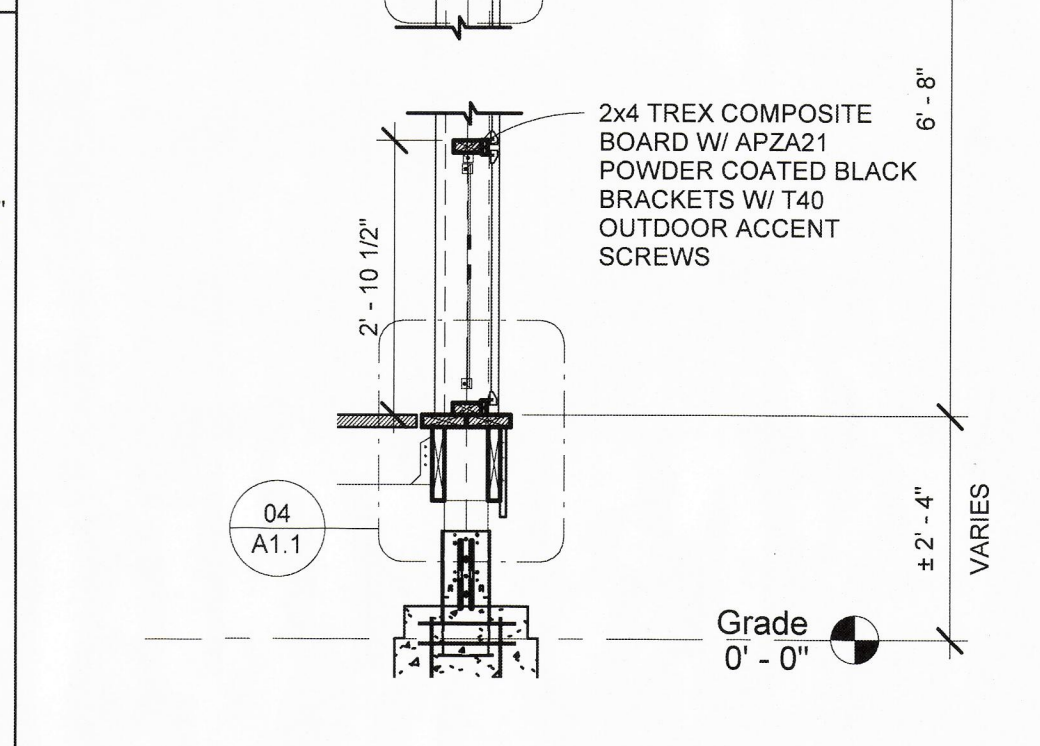
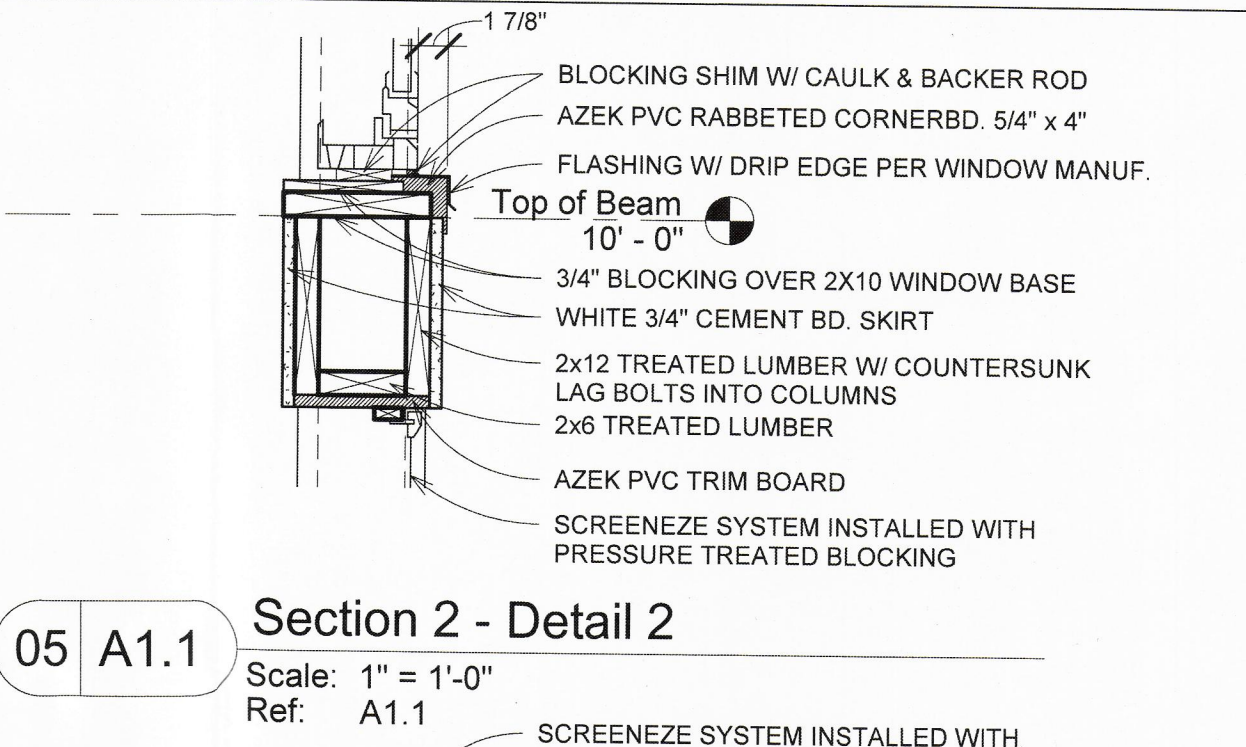
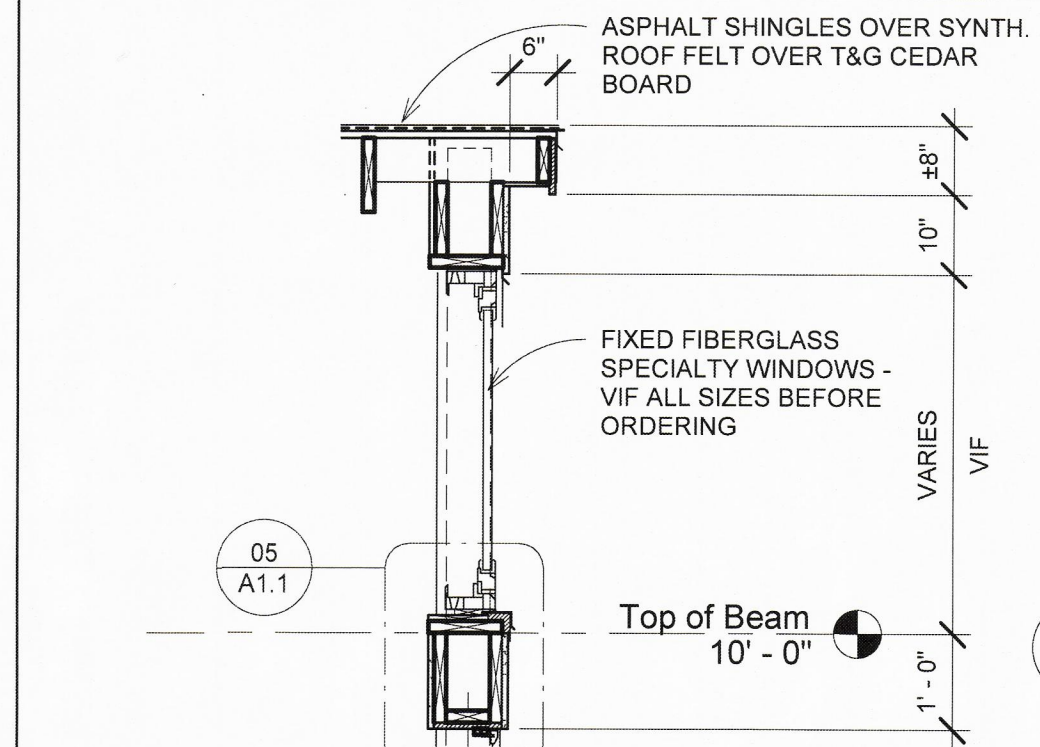
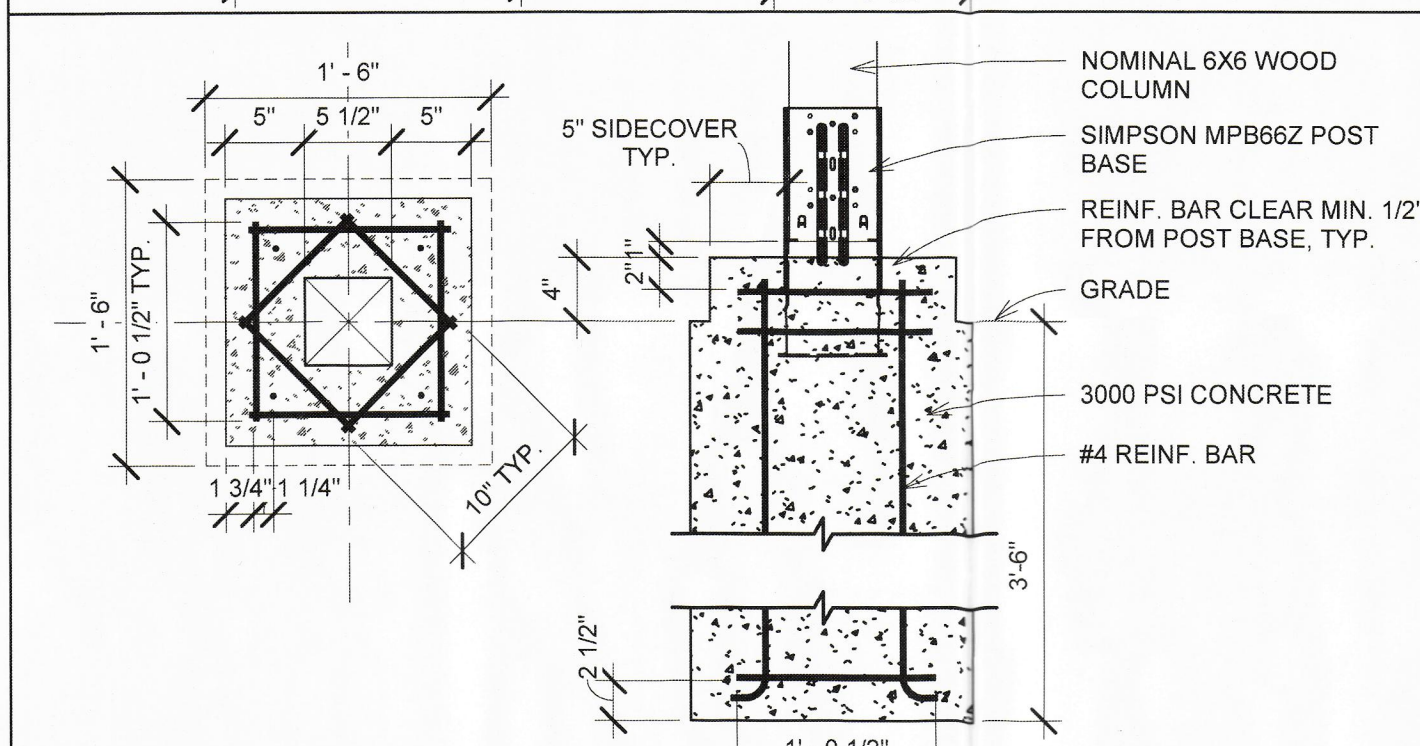
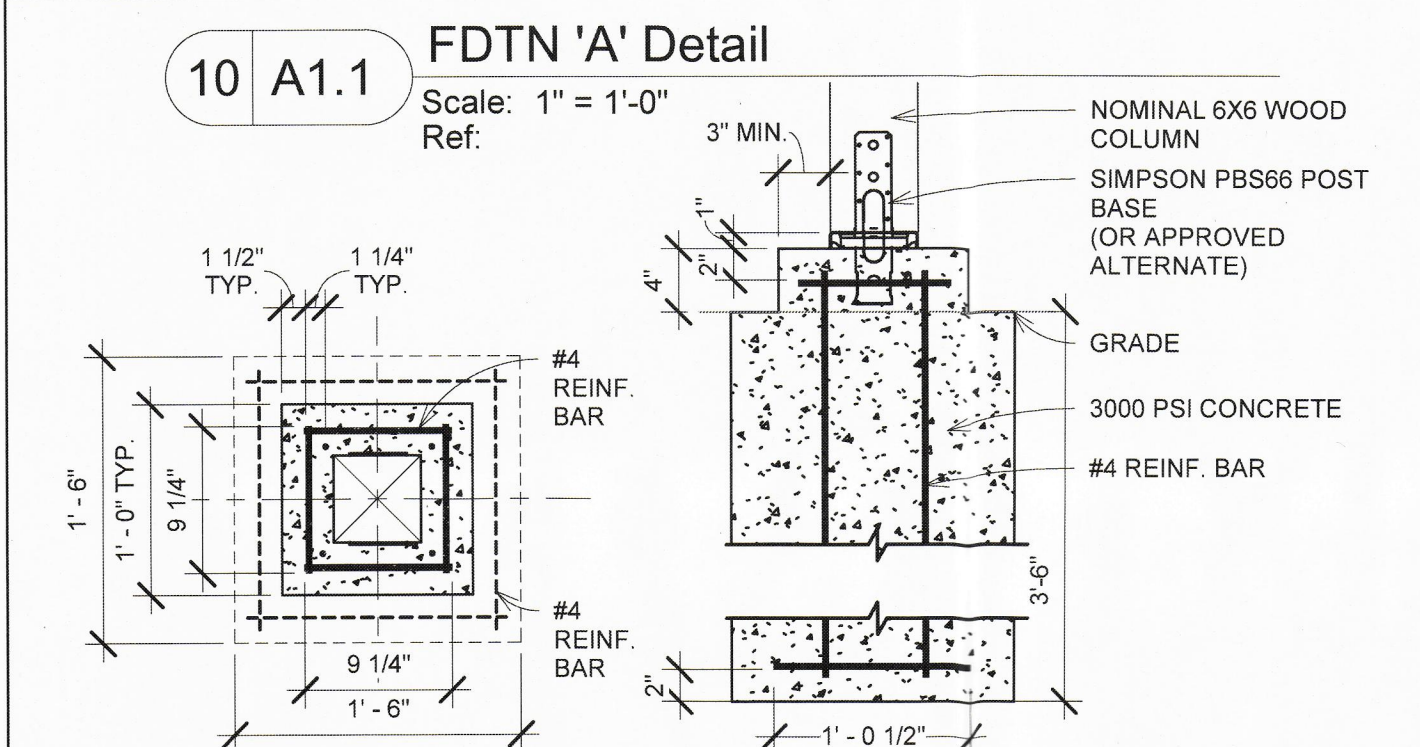
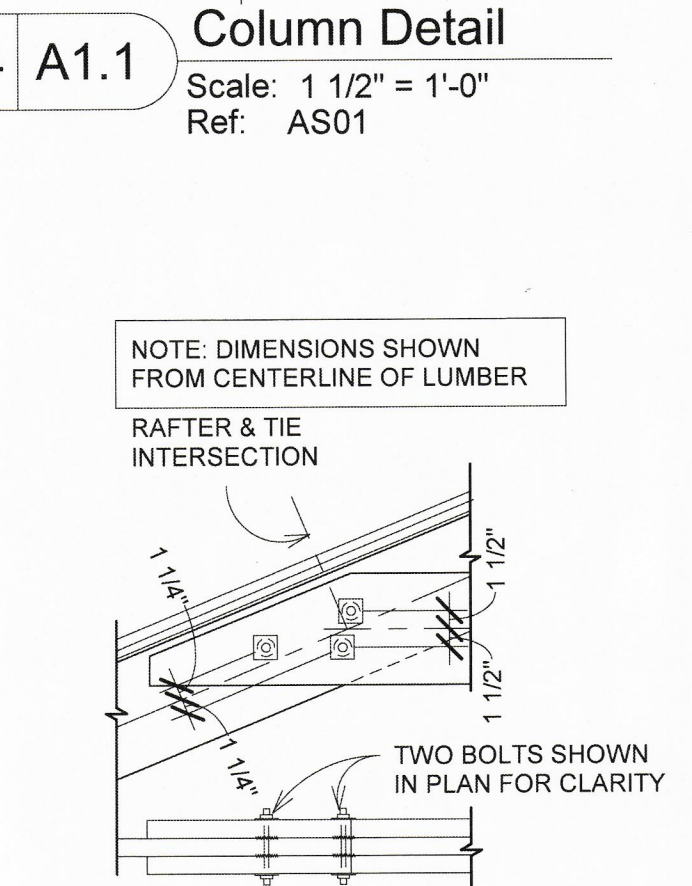
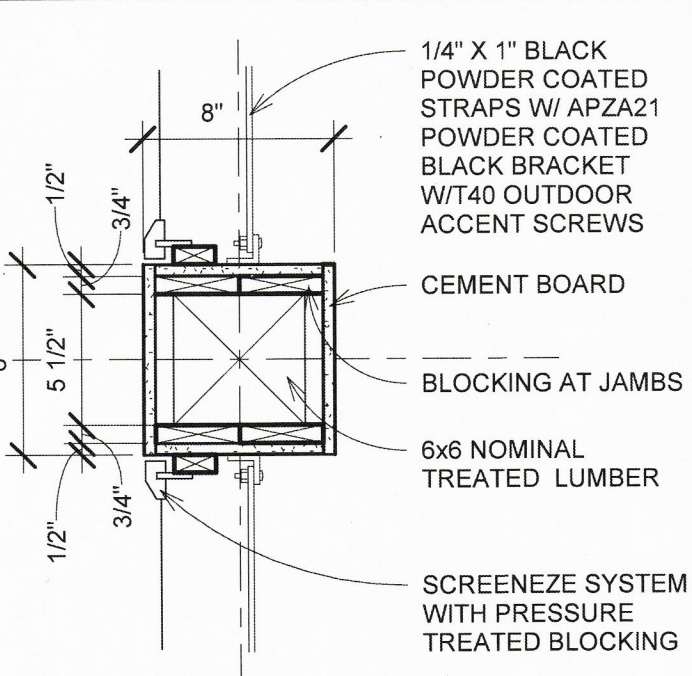
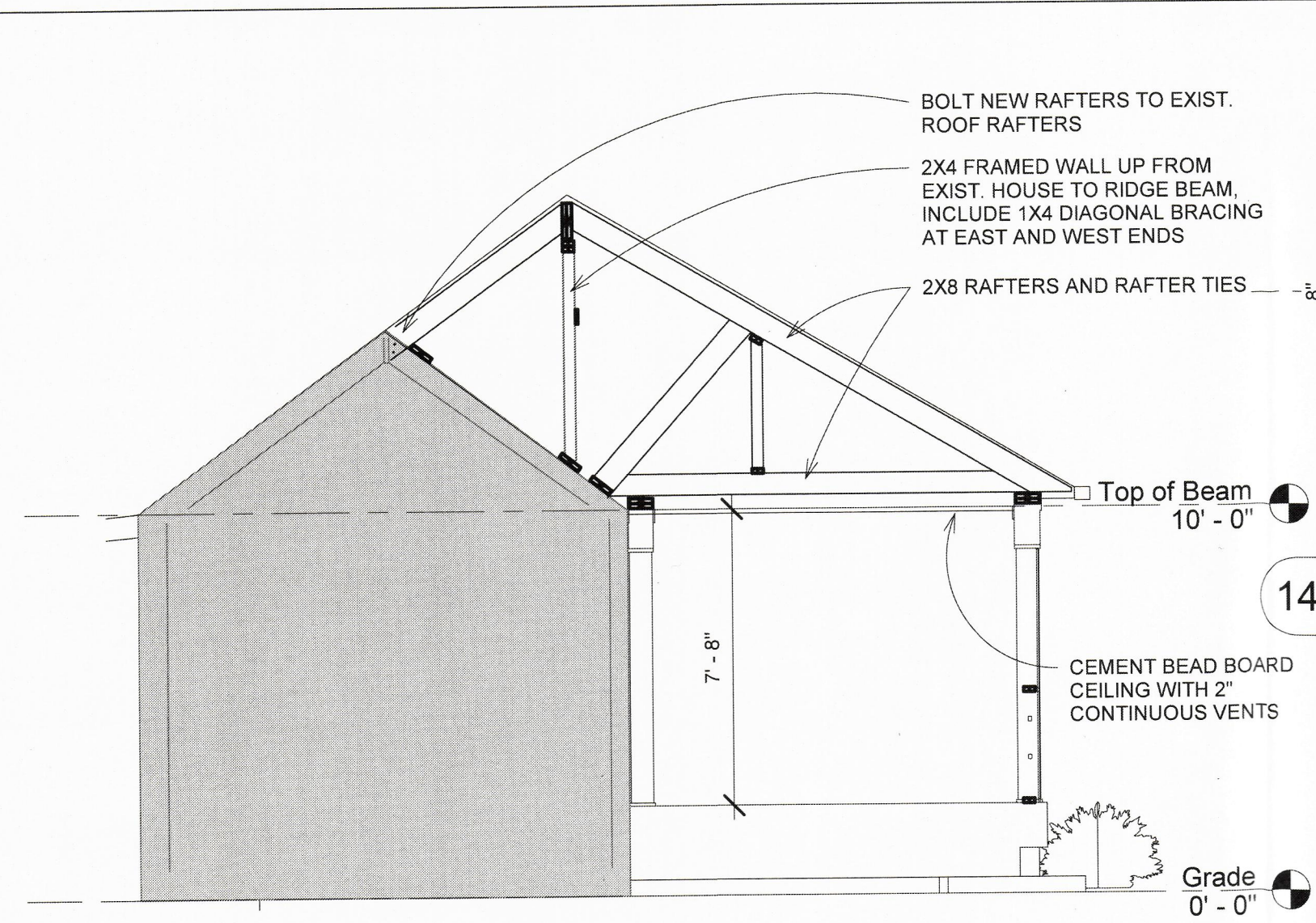
Project number -
Date -
Drawn by BML

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Scale As indicated

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JAN 27 2021
COUNTY DEVELOPMENT DEPARTMENT

1/25/2020 12:19:10 PM



**WHITE LAKE TOWNSHIP
ZONING BOARD OF APPEALS**

**REPORT OF THE
COMMUNITY DEVELOPMENT DEPARTMENT**

TO: Zoning Board of Appeals
FROM: Justin Quagliata, Staff Planner
DATE: February 25, 2021

Agenda item: 6b

Appeal Date: February 25, 2021

Applicant: Signature Group of Livingston Inc.

Address: 508 E. Grand River Avenue, Suite 100A
Brighton, MI 48116

Zoning: R1-D Single Family Residential

Location: 2765 Ridge Road
White Lake, MI 48383

Property Description

The approximately 0.53-acre (23,086.8 square feet) parcel identified as 2765 Ridge Road is located on White Lake and zoned R1-D (Single Family Residential). The existing house on the property (approximately 768 square feet in size) utilizes a private well for potable water and a private septic system for sanitation. The parcel, Lot 42 of the Rolling Acres No. 1 plat, contains 60.49 feet in width at the Ridge Road right-of-way line.

Applicant's Proposal

Signature Group of Livingston Inc., the applicant, on behalf of property owners Richard and Wendy Rozman, are proposing to remove an existing deck to construct a 598 square foot addition over a full walk-out basement.

Planner's Report

The existing house was built in 1955 and is nonconforming because it is located 5.5 feet from the south side property line. The proposed addition at the front (east) of the house would be located 5.3 feet from the south side lot line. However, the proposed roof overhang is within five feet of the side lot line. Article 5, Section 3 of the zoning ordinance prohibits roofs, gutters, windows, and open balconies from projecting closer than five feet to a lot line. Article 7, Section 27.vii prohibits the Zoning Board of Appeals from permitting side yards of less than five feet for safety reasons.

Article 7, Section 28 of the zoning ordinance states repairs and maintenance to nonconforming structures cannot exceed fifty percent (50%) of the State Equalized Valuation (SEV) in any twelve (12) consecutive months. Further, the ordinance does not allow the cubic content of nonconforming structures to be increased. Based on the tentative 2021 SEV of the structure (\$64,470), the maximum extent of improvements cannot exceed \$32,235. The value of the proposed work is \$200,000. A variance to exceed the allowed value of improvements by 620.44% is requested.

The Board should note there is an approximately 12 foot by 14 foot (168 square feet) shed located 0.6 feet from the south side lot line. The shed is permanently attached to the ground and nonconforming to the five-foot accessory building side yard setback.

The requested variances are listed in the following table.

Variance #	Ordinance Section	Subject	Standard	Requested Variance	Result
1	Article 3.1.6.E	Side yard setback	10 feet	4.7 feet (south)	5.3 feet
2	Article 3.1.6.E	Minimum lot width	80 feet	19.51 feet	60.49 feet
3	Article 7.28.A	Nonconforming structure	50% SEV (\$32,235)	620.44%	\$167,765 over allowed improvements

Zoning Board of Appeals Options:

Approval: I move to approve the variances requested by Signature Group of Livingston Inc. from Articles 3.1.6.E and 7.28.A of the Zoning Ordinance for Parcel Number 12-18-101-025, identified as 2765 Ridge Road, in order to construct an addition that would encroach 4.7 feet into the required side yard setback from the south lot line and exceed the allowed value of improvements to a nonconforming structure by 620.44%. A 19.51-foot variance from the required lot width is also granted from Article 3.1.6.E. This approval will have the following conditions:

- The Applicant shall obtain all necessary permits from the White Lake Township Building Department.
- In no event shall the projection of the roof overhang be closer than five feet to the south side lot line.
- An as-built survey shall be required to verify the roof overhang setback from the south side lot line.

Denial: I move to deny the variances requested by Signature Group of Livingston Inc. for Parcel Number 12-18-101-025, identified as 2765 Ridge Road, due to the following reason(s):

Table: I move to table the variance requests of Signature Group of Livingston Inc. for Parcel Number 12-18-101-025, identified as 2765 Ridge Road, to consider comments stated during this public hearing.

Attachments:

1. Variance application dated January 27, 2021.
2. Plot plan dated September 18, 2020.
3. Letter of denial from the Building Department dated January 21, 2021.

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

RECEIVED

JAN 27 2021

COMMUNITY
DEVELOPMENT
DEPARTMENT

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

APPLICANT'S NAME: Signature Group of Livingston Inc. PHONE: 810-533-2333

ADDRESS: 508 E. Grand River Ave. Ste. 100A, Brighton, MI 48116

APPLICANT'S EMAIL ADDRESS: david@gordonbuilders.com

APPLICANT'S INTEREST IN PROPERTY: OWNER BUILDER OTHER: _____

ADDRESS OF AFFECTED PROPERTY: 2765 Ridge Road, White Lake, MI 48383 PARCEL # 12 - 18-101-025

CURRENT ZONING: R1-D PARCEL SIZE: .53 Acres

STATE REQUESTED VARIANCE AND ORDINANCE SECTION: Article 5.3 (vii)

VALUE OF IMPROVEMENT: \$ 200,000.00 SEV OF EXISITING STRUCTURE: \$ 200,000.00

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

The current structure is assessed as a 3 bedroom home but is actually only a 1 bedroom that is used as the master and does not have a closet. We are applying for a variance to construct a 598 sf master suite addition and the current bedroom become a home office due to working remotely with the current pandemic.

We propose to demo the current deck in the area of the new addition with a new entrance to make it practical & safer to enter the home. The current home & detached garage is non-conforming to the south setbacks & the proposed addition will 5.3' from the property line where the garage is currently 5.0'

APPLICATION FEE: _____ (CALCULATED BY THE PLANNING DEPARTMENT)

APPLICANT'S SIGNATURE:  - DAVID M. HALWICK DATE: 01-27-2021

David M. Halwick, Property Owner 1-27-2021



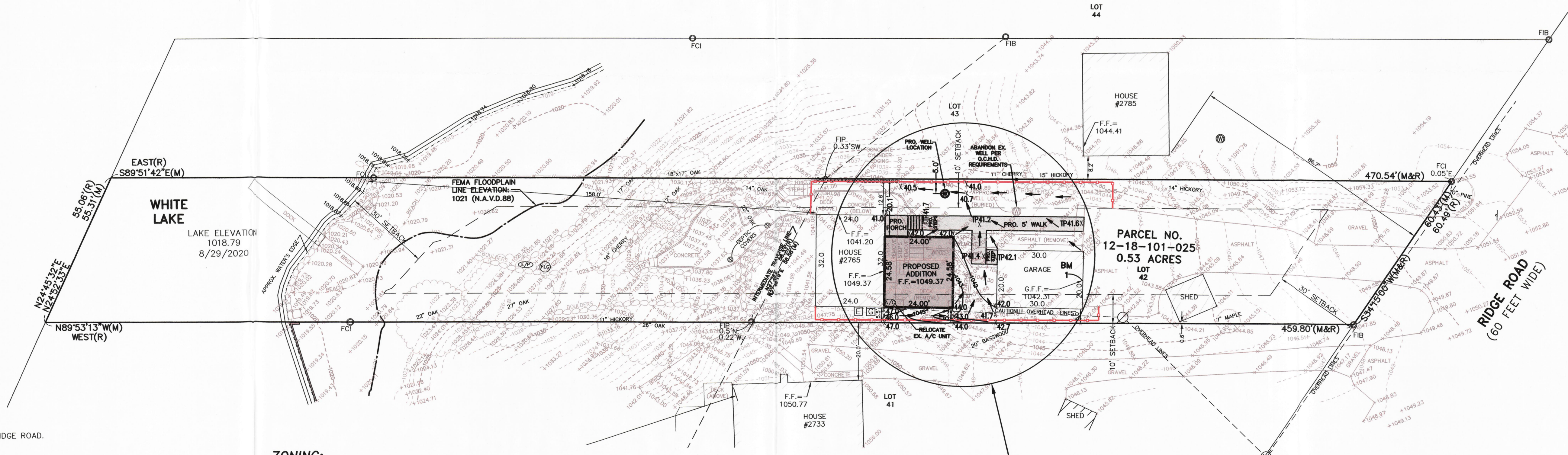
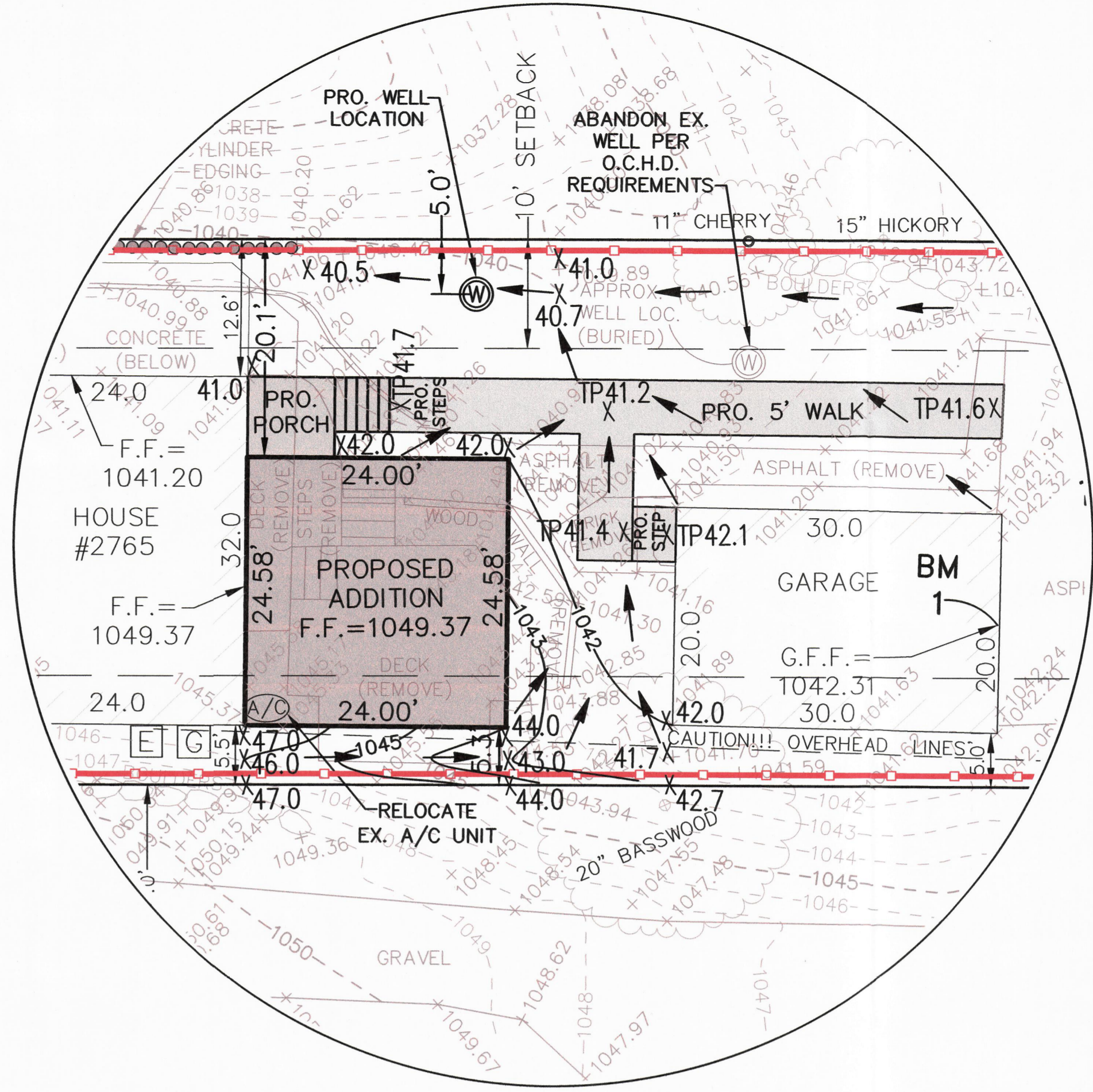
CLIENT: RICK ROZMAN
PLOT PLAN
#2765 RIDGE ROAD - PARCEL NO. 12-18-101-025
SECTION: 18 TOWNSHIP: 03 N. RANGE: 08 E.
WHITE LAKE, OAKLAND COUNTY, MICHIGAN

REVISED
DATE: 9/18/2020
DRAWN BY: CEH
CHECKED BY: JPP/DJL
SCALE: HOR 1"=20 FT. VER 1"=1 FT.
20-261

LEGEND

OFIP	FOUND IRON PIPE
OFIB	FOUND IRON BAR
OFCI	FOUND CAPPED IRON
(R)	RECORD
(M)	MEASURED
EX. UTILITY POLE	EX. UTILITY POLE
EX. FLAG POLE	EX. FLAG POLE
EX. SEPTIC COVER	EX. SEPTIC COVER
EX. ELECTRIC METER	EX. ELECTRIC METER
EX. ELECTRIC PANEL	EX. ELECTRIC PANEL
EX. WELL	EX. WELL
EX. GAS METER	EX. GAS METER
EX. AIR CONDITIONER	EX. AIR CONDITIONER
EX. OVERHEAD LINES	EX. OVERHEAD LINES
EX. FENCE	EX. FENCE
EX. WALL	EX. WALL
EX. DECIDUOUS TREE	EX. DECIDUOUS TREE
EX. CONIFEROUS TREE	EX. CONIFEROUS TREE
PRO. DRAINAGE ARROW	PRO. DRAINAGE ARROW
PRO. TOP/PAVEMENT ELEV.	PRO. TOP/PAVEMENT ELEV.
PRO. SPOT ELEV.	PRO. SPOT ELEV.
PRO. SILT FENCE	PRO. SILT FENCE

GRADING & DRAINAGE PLAN
SCALE: 1" = 10'



APPLICANT:
RICK ROZMAN
2765 RIDGE RD.
WHITE LAKE, MI 48383
PHONE: (810) 588-4424

BENCHMARKS:
BM#1
GARAGE FINISH FLOOR, #2765 RIDGE ROAD.
ELEVATION: 1042.21 N.A.V.D.88

NOTES:
1. TITLE WORK WAS NOT PROVIDED. EXISTING EASEMENTS, IF ANY, HAVE NOT BEEN SHOWN.
2. A WETLAND AND TREE SURVEY WERE NOT PERFORMED AS PART OF THIS SURVEY.
3. BUILDER/OWNER TO VERIFY SIZE & LOCATION OF EXISTING SEPTIC FIELD/TANKS.

LEGAL DESCRIPTION:
LOT 42 OF "ROLLING ACRES NO. 1", A SUBDIVISION OF PART OF THE NORTH 1/2 OF THE NORTHWEST 1/4 OF SECTION 18, T.03N., R.08E., WHITE LAKE TOWNSHIP, OAKLAND COUNTY, MICHIGAN, AS RECORDED IN LIBER 56 OF PLATS, PAGE 57, OAKLAND COUNTY RECORDS.

FLOOD HAZARD STATEMENT:
A PORTION OF THIS PROPERTY IS LOCATED WITHIN A FEMA DESIGNATED ZONE "AE" FLOOD HAZARD AREA AS SHOWN ON NATIONAL FLOOD INSURANCE PROGRAM (NFIP) FOR MICHIGAN FLOOD INSURANCE RATE MAP (FIRM) #26125C0316F (COMMUNITY ID NO. 260479 - TOWNSHIP OF WHITE LAKE, MI) WITH AN EFFECTIVE DATE OF SEPTEMBER 29, 2006. THIS STATEMENT IS BASED ON THE RESULTS OF GRAPHIC PLOTTING ONTO THE ABOVE NAMED MAP AND PANEL, WHICH IS THE CURRENT MAP FOR THE COMMUNITY IN WHICH THE PROPERTY IS LOCATED. ZONE "AE" INDICATES BASE FLOOD ELEVATIONS DETERMINED. (ELEVATION = 1021 N.A.V.D. 88)

ZONING:
R1-D, SINGLE FAMILY RESIDENTIAL

SETBACKS:
FRONT: 30 FEET
REAR: 30 FEET
SIDES: 10 FEET

NOTICE:
CONSTRUCTION SITE SAFETY IS THE SOLE RESPONSIBILITY OF THE CONTRACTOR NEITHER THE OWNER NOR THE ENGINEER SHALL BE EXPECTED TO ASSUME ANY RESPONSIBILITY FOR SAFETY OF THE WORK, OF PERSONS ENGAGED IN THE WORK, OF ANY NEARBY STRUCTURES, OR OF ANY OTHER PERSONS.

NOTE:
THE LOCATIONS OF EXISTING UNDERGROUND UTILITIES ARE SHOWN IN AN APPROXIMATE WAY ONLY AS DISCLOSED BY AVAILABLE UTILITY COMPANY RECORDS AND HAVE NOT BEEN INDEPENDENTLY VERIFIED BY THE COMPANY. NO GUARANTEE IS EITHER EXPRESSED OR IMPLIED AS TO THE COMPLETENESS OR ACCURACY THEREOF. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES BEFORE COMMENCING WORK, AND AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MIGHT BE OCCASIONED BY THE CONTRACTOR'S FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL UNDERGROUND UTILITIES. THE CONTRACTOR SHALL NOTIFY THE DESIGN ENGINEER IMMEDIATELY IF A CONFLICT IS APPARENT.

RECEIVED
JAN 27 2021



Rik Kowall, Supervisor
Anthony L. Noble, Clerk
Mike Roman, Treasurer



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

WHITE LAKE TOWNSHIP

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

January 21, 2021

Richard Rozman
2765 Ridge Rd.
White Lake, MI 48383

RE: Proposed Addition

Based on the submitted plans, the proposed residential structure does not satisfy the White Lake Township Clear Zoning Ordinance for R1-D zoning district.

Article 3.1.6 of the White Lake Township Clear Zoning Ordinance: Requires a minimum side yard setback of 10 ft each side and 20 ft total.

The existing structure is legal non-conforming with the lot containing a residential structure having a 5.5 ft. side yard setback on one side. The proposed addition would further increase the non-conformity with a 5.3 ft. side yard setback. It should also be noted that **Article 5.3 (vii) of the White Lake Township Clear Zoning Ordinance states:** In no event will any projection be closer than five (5) feet to the lot line; this includes roof overhangs, gutters, etc.

Approval of the building plans would be subject to a variance to the schedule of regulations, Article 7 of the White Lake Township Clear Zoning Ordinance. To be eligible for the February 25th Zoning Board of Appeals meeting, application must be submitted to the White Lake Township Planning Department no later than January 28th at 4:30 PM. The Planning Department can be reached at (248)698-3300, ext. 5

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: Justin Quagliata, Staff Planner
DATE: February 25, 2021

Agenda item: 6c

Appeal Date: February 25, 2021

Applicant: Brandon Gibson

Address: 1349 Sugden Lake Road
White Lake, MI 48386

Zoning: R1-D Single Family Residential

Location: 1349 Sugden Lake Road
White Lake, MI 48386

Property Description

The approximately 0.319-acre (13,920 square feet) parcel identified as 1349 Sugden Lake Road is located on Sugden Lake and zoned R1-D (Single Family Residential). The existing house on the property (approximately 1,272 square feet in size) utilizes a private well for potable water and a private septic system for sanitation.

Applicant's Proposal

Brandon Gibson, the applicant, is proposing to convert the existing single-story two-car attached garage to living space with a second story, and construct a new 24-foot by 24-foot two-car attached garage (576 square feet).

Planner's Report

In October 2020 a building permit was issued in error to allow the house renovation, including construction of the second-story addition. Variances should have been required at the time for the front yard setback and the value of improvement to a nonconforming structure. Work on the proposed garage has not commenced.

The existing house was built in 1920 and is nonconforming because it is located 4.5 feet (southwest corner) from the side property line and 6.9 feet from the Sugden Lake Road right-of-way line. The proposed attached garage would be located north of the existing garage being converted to living space and 10 feet from the Sugden Lake Road right-of-way line. The wall of the second-story addition at the front of the house matches the existing garage wall. The second-story addition is 1,168 square feet in size. A 23.1-foot variance is being requested to encroach into the front yard setback.

Article 7, Section 28 of the zoning ordinance states repairs and maintenance to nonconforming structures cannot exceed fifty percent (50%) of the State Equalized Valuation (SEV) in any twelve (12) consecutive months. Further, the ordinance does not allow the cubic content of nonconforming structures to be increased. Based on the tentative 2021 SEV of the structure (\$73,240), the maximum extent of improvements cannot exceed \$36,620. The value of the proposed work is \$200,000. A variance to exceed the allowed value of improvements by 546% is requested.

The requested variances are listed in the following table.

Variance #	Ordinance Section	Subject	Standard	Requested Variance	Result
1	Article 3.1.6.E	Front yard setback	30 feet	23.1 feet	6.9 feet
2	Article 7.28.A	Nonconforming structure	50% SEV (\$36,620)	546%	\$163,380 over allowed improvements

Zoning Board of Appeals Options:

Approval: I move to approve the variances requested by Brandon Gibson from Articles 3.1.6.E and 7.28.A of the Zoning Ordinance for Parcel Number 12-34-351-016, identified as 1349 Sugden Lake Road, in order to construct an attached garage and second-story addition that would encroach 23.1 feet into the required front yard setback and exceed the allowed value of improvements to a nonconforming structure by 546%. This approval will have the following conditions:

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

Denial: I move to deny the variances requested by Brandon Gibson for Parcel Number 12-34-351-016, identified as 1349 Sugden Lake Road, due to the following reason(s):

Table: I move to table the variance requests of Brandon Gibson for Parcel Number 12-34-351-016, identified as 1349 Sugden Lake Road, to consider comments stated during this public hearing.

Attachments:

1. Variance application dated January 28, 2021.
2. Email from Applicant dated February 17, 2021.
3. Survey dated February 11, 2021 (revision date February 15, 2021).
4. House photo.
5. Letter of denial from the Building Department dated January 28, 2021.

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

RECEIVED

JAN 28 2021

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

COMMUNITY
DEVELOPMENT
DEPARTMENT

APPLICANT'S NAME: Brandon Gibson PHONE: 248-639-9939

ADDRESS: 1349 Sugden Lake Rd

APPLICANT'S INTEREST IN PROPERTY: OWNER BUILDER OTHER: _____

ADDRESS OF AFFECTED PROPERTY: 1349 Sugden Lake Rd PARCEL # 12 - 34-351-016

CURRENT ZONING: R1-D PARCEL SIZE: 1/2 acre

STATE REQUESTED VARIANCE AND ORDINANCE SECTION: _____

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

PAID
CASH CHECK# _____

JAN 28 2021

TREASURER
CHARTER TWP OF WHITELAKE

APPLICATION FEE: 385.00 (CALCULATED BY THE PLANNING DEPARTMENT)

APPLICANT'S SIGNATURE: [Signature] DATE: 1/28/21

Justin Quagliata

From: Brandon Gibson <bt.gibson87@yahoo.com>
Sent: Wednesday, February 17, 2021 9:47 AM
To: Justin Quagliata
Subject: Gibson survey
Attachments: Gibson survey (1).pdf

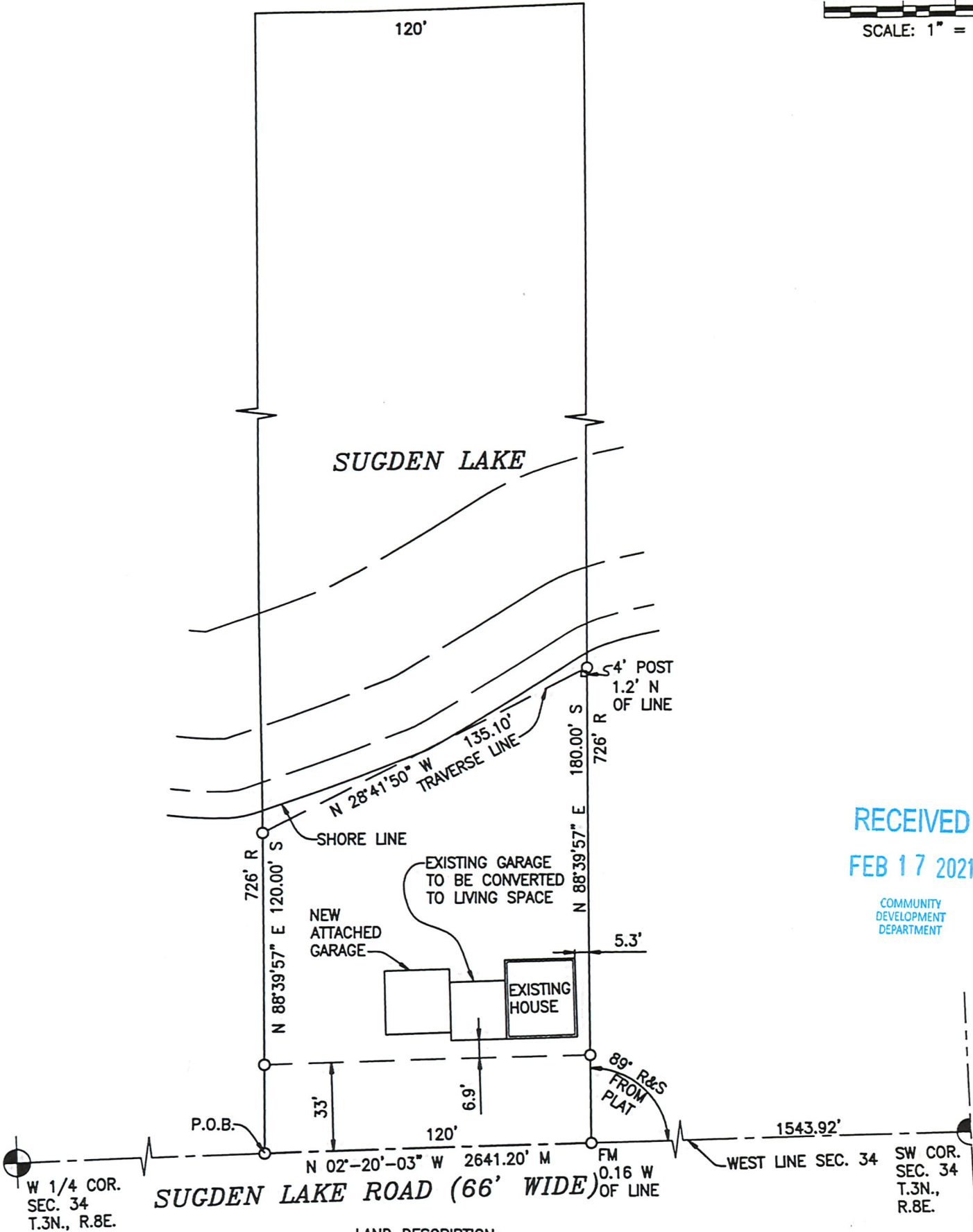
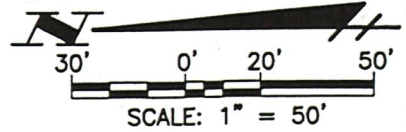
Good morning Justin,

Attached is my survey. Also the reason we would like a variance to attach the garage is due to the existing grade and elevations. Also having a detached garage wouldn't allow for proper drainage from the house.

Please let me know if you have any questions!

Thank you,

Brandon Gibson



RECEIVED
 FEB 17 2021
 COMMUNITY DEVELOPMENT DEPARTMENT

LAND DESCRIPTION:
 NORTH 120 FEET OF THE WEST 726 FEET OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 34, TOWN 3 NORTH, RANGE 8 EAST, OAKLAND COUNTY RECORDS.

BOUNDARY SURVEY OF PARCEL NUMBER 12-34-351-016.

BEARINGS FOR THIS SURVEY ARE BASED ON GPS BEARINGS.

This survey is valuable and should be filed with the deed and abstract for this property.

GRANT WARD SURVEYORS
 REGISTERED LAND SURVEYORS
 655 Broadway
 P.O. Box 440
 Davisburg, Michigan 48350
 Phone: (248) 634-0700
 Email: GWS@TIR.COM

SURVEYORS CERTIFICATE:

I, Grant J. Ward, Registered Land Surveyor, hereby certify to BRANDON T. & STEFANIE N. GIBSON; that on FEBRUARY 10, 2021 I, surveyed and mapped the land herein described.

LEGEND:

- C - Calculated
- M - Measured
- R - Recorded
- S - Set
- FIP - Found Iron Pipe
- FIR - Found Iron Rod
- ◇ FM - Found Monument
- FPP - Found Pinch Pipe
- SIRC - Set Iron Rod and Cap No. 22445

Date: FEBRUARY 11, 2021 Rev.: FEBRUARY 15, 2021

Job No.: 21-0106 Desc. File: 210106

Dwg. File: 210106.dwg Data File: 210106P

Field Book: * Sheet: 1 of 1

Grant J. Ward
 Grant J. Ward, R.L.S.
 License No. 22445



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

January 28, 2021

Brandon Gibson
1349 Sugden Lake Rd
White Lake, MI 48386

RE: Proposed Addition

Based on the submitted plans, the proposed residential structure does not satisfy the White Lake Township Clear Zoning Ordinance for R1-D zoning district.

Article 3.1.6 of the White Lake Township Clear Zoning Ordinance: Requires a minimum front yard setback of 30 ft.

The existing structure is legal non-conforming with a front yard setback which does not meet the required minimum. While the proposed structure will be further from the right of way it still does not meet the required front yard setback.

Approval of the building plans would be subject to a variance to the schedule of regulations, Article 7 of the White Lake Township Clear Zoning Ordinance.

Sincerely,

A handwritten signature in black ink, appearing to read "Nick Spencer".

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: Justin Quagliata, Staff Planner
DATE: February 25, 2021

Agenda item: 6d

Appeal Date: February 25, 2021

Applicant: John Rozanski

Address: 2704 Wabum Road
White Lake, MI 48386

Zoning: RM-2 Multiple Family

Location: 8565 Pontiac Lake Road
White Lake, MI 48386

Property Description

The approximately 3.19-acre parcel identified as 8565 Pontiac Lake Road is located on Pontiac Lake and zoned RM-2 (Multiple Family) and R1-D (Single Family Residential). The centerline of the Pontiac Lake Road right-of-way serves as the boundary for the split zoning of this property; the land north of the centerline is zoned R1-D and the land south of the centerline is zoned RM-2. There are two existing one-story buildings on the south side of the Pontiac Lake Road right-of-way (east building: 1,905 square feet; west building: 1,915 square feet). The site is served by a private well for potable water and the public sanitary sewer system for sanitation.

Applicant's Proposal

John Rozanski, the applicant, is proposing to demolish the existing buildings and construct a 14-unit apartment building on the south side of Pontiac Lake Road.

Planner's Report

The project consists of one two-story building with a garden level (basement) totaling 12,967 square feet in size with ten, two-bedroom units and four, one-bedroom units. The garden (basement) and first levels are each 4,365 square feet in size and contain two, one-bedroom units and three, two-bedroom units; the second level is 4,237 square feet in size and contains four, two-bedroom units. At its meeting on February 18, 2021 the Planning Commission considered the preliminary site plan for the project.

The minimum side yard setback in the RM-2 zoning district is 70 feet on one side, 100 feet total of two sides. The proposed side yard east of the building is 27.7 feet; therefore, a 42.3-foot variance is being requested. To the west of the building the proposed side yard is 30 feet. For reference, the property to the east is zoned R1-C (Single Family Residential) and the property to the west is zoned RM-2.

Article 3, Section 11.Q of the zoning ordinance prohibits buildings or structures from being located closer than 25 feet to any regulated wetland, submerged land, watercourse, pond, stream, lake or like body of water. The Natural Features setback depiction is inconsistent on the submitted plans. The setback is labeled as 25.4 feet on the engineered site plan. However, staff believes the plan shows the building encroaching approximately 0.5 foot into the setback. Additionally, the architectural plans show patios and balconies projecting into the setback. Also, the architectural plans are inconsistent when showing the location of the setback, with a majority of the plans in the set showing the building encroaching approximately four feet into the setback. At the closest point a balcony is located 16.5 feet from the wetland boundary. An 8.5-foot variance is being requested to encroach into the Natural Features Setback.

Parking setback variances are also being requested. The zoning ordinance requires parking for non-single family residential and non-residential uses to meet the front yard setback requirement of the underlying zoning district; however, parking in a required front yard may be permitted, except for the first 20 feet which must be a greenbelt and landscaped in conformance with the standards of the ordinance. The minimum front yard setback in the RM-2 zoning district is 40 feet. At its closest point (the northwest corner) the parking lot is located 10 feet from the south right-of-way line of Pontiac Lake Road. A 20-foot greenbelt is not proposed, so the applicant is requesting a 30-foot variance for the front parking setback.

Parking for non-single family residential and non-residential uses may be permitted in a side yard setback, if all greenbelt and/or screening requirements of the ordinance have been met. The zoning ordinance offers options to provide an appropriate amount of screening between properties based on the zoning of an adjacent parcel. Following are the screening options outlined in the zoning ordinance based on the zoning of the subject site and adjacent properties to the east and west:

- Land Form Buffer
 - Height: 3-foot berm with a 2-foot crown and maximum 3:1 slope; 20 feet in width
 - Planting Requirements: 1 large deciduous, 1 evergreen tree and 8 shrubs for every 30 linear feet

- Buffer Strip and Obscuring Fence
 - 1 large deciduous or evergreen tree and 4 shrubs for every 15 linear feet; 20 feet in width
 - 6-foot-tall fence

- Screen Wall
 - Height: 6 foot
 - Width: 8 inches of brick, or decorative concrete
 - Planting Requirements: 5-foot greenbelt (1 large deciduous or evergreen tree and 8 shrubs for every 30 linear feet) adjacent to screen wall for its entire length

The east and west sides of the parking lot are located five feet from the side lot lines, with no screening as described above proposed; therefore, the applicant is requesting a 25-foot variance for the west side parking setback and a 65-foot variance for the east side parking setback.

Article 5, Section 19.N.i.C states trash enclosures are not permitted within a required front yard setback, nor closer to the front lot line than the principal building. The proposed dumpster enclosure is located closer to Pontiac Lake Road than the apartment building, and does not meet the front yard setback. A 46-foot variance is required to encroach into the front yard, and a 2.5-foot variance is required to encroach into the front yard setback.

In the RM-2 zoning district the minimum lot width is 200 feet. At 170-feet wide, the applicant is requesting a 30-foot variance to address the width deficiency.

For clarification, the architectural site plan shows a 20-foot proposed parking setback from the right-of way line (west side of parking area), and a 27.9-foot side yard building setback from the east lot line. Those setbacks are inconsistent with the engineered site plan and are incorrect.

The requested variances are listed in the following table.

Variance #	Ordinance Section	Subject	Standard	Requested Variance	Result
1	Article 3.1.9.E	Side yard setback	70 feet on one side, 100 feet total	42.3 feet (east)	27.7 feet
2	Article 3.1.9.E	Minimum lot width	200 feet	30 feet	170 feet
3	Article 3.11.Q	Natural Features Setback	25 feet	8.5 feet	16.5 feet
4	Article 5.11.A.iii	Parking setback – side yard	70 feet – east 30 feet – west	65 feet – east 25 feet – west	5 feet (east & west)
5	Article 5.11.A.iv	Parking setback – front yard	40 feet	30 feet	10 feet
6	Article 5.19.N.i.C	Dumpsters & trash storage enclosures	40 feet – front yard 0 feet – projection	2.5 feet – front yard 46 feet – projection	37.5 feet – front yard 46 feet – projection

Zoning Board of Appeals Options:

Approval: I move to approve the variances requested by John Rozanski from Articles 3.1.9.E, 3.11.Q, 5.11.A.iii, 5.11.A.iv, and 5.19.N.i.C of the Zoning Ordinance for Parcel Number 12-13-328-003, identified as 8565 Pontiac Lake Road, in order to construct an apartment building that would encroach 42.3 feet into the required side yard setback from the east lot line and 8.5 feet into the required natural features setback. Parking setback variances are granted to encroach 30 feet into the required front yard setback, 65 feet into the required side yard setback from the east lot line, and 25 feet into the required side yard setback from the west lot line. A 2.5-foot variance and 46-foot variance is granted to allow the dumpster enclosure to encroach into the required front yard setback and project in front of the principal building. A 30-foot variance from the required lot width is also granted from Article 3.1.9.E. This approval will have the following conditions:

- The Applicant shall obtain all necessary permits from the White Lake Township Building Department.
- The Applicant shall receive preliminary site plan approval from the Township Board and final site plan approval from the Planning Commission.

Denial: I move to deny the variances requested by John Rozanski for Parcel Number 12-13-328-003, identified as 8565 Pontiac Lake Road, due to the following reason(s):

Table: I move to table the variance requests of John Rozanski for Parcel Number 12-13-328-003, identified as 8565 Pontiac Lake Road, to consider comments stated during this public hearing.

Attachments:

1. Variance application dated January 27, 2021.
2. Letter from HF: architecture dated January 27, 2021.
3. Existing conditions plan dated April 26, 2019 (revision date January 21, 2021).
4. Preliminary site plan dated January 30, 2020 (revision date January 21, 2021).
5. Architectural site plan, elevations, and floor plans dated January 25, 2021.

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

RECEIVED

JAN 28 2021

COMMUNITY
DEVELOPMENT
DEPARTMENT

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

APPLICANT'S NAME: JOHN KOZANSKI PHONE: 248-231-8529

ADDRESS: 2704 WABUM RD. White LK. MI. 48386

APPLICANT'S EMAIL ADDRESS: nemventures@gmail.com

APPLICANT'S INTEREST IN PROPERTY: OWNER BUILDER OTHER: _____

ADDRESS OF AFFECTED PROPERTY: 8565 PONTIAC LAKE RD. PARCEL # 12 - 13-328-003

CURRENT ZONING: RM-2 PARCEL SIZE: 139,031 SF.

STATE REQUESTED VARIANCE AND ORDINANCE SECTION: SIDE SETBACK VARIANCE

VALUE OF IMPROVEMENT: \$2,000,000.00 SEV OF EXISTING STRUCTURE: \$150,000.00?

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

REFER TO ATTACHED SHEET (ZBA VARIANCE NOTES)

APPLICATION FEE: _____ (CALCULATED BY THE PLANNING DEPARTMENT)

APPLICANT'S SIGNATURE: John Kozanski DATE: 1-27-21

H F : architecture
HARMONY | FORM

January 27, 2021

Zoning Board of Appeals:

8565 PONTIAC LAKE ROAD PROJECT:

The practical difficulty is clearly the property itself with the steep topography to the Huron River, 50% of the lot size is unbuildable/ wetland area.

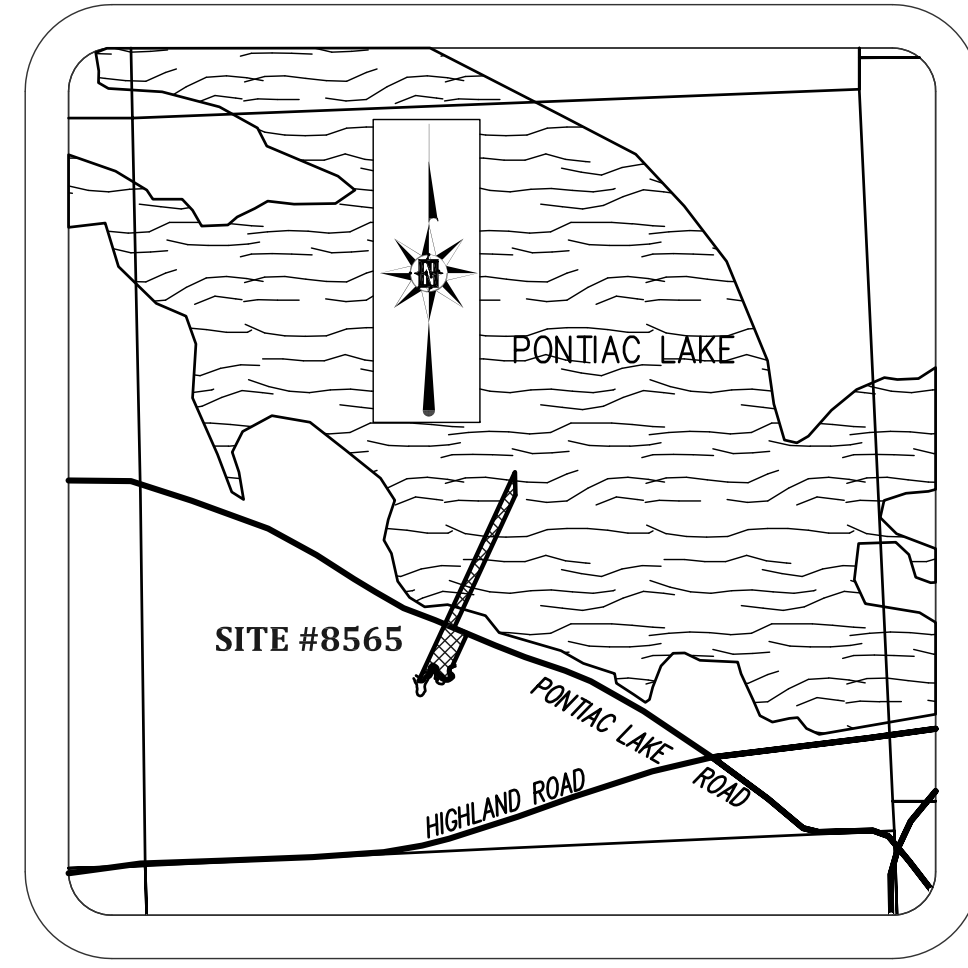
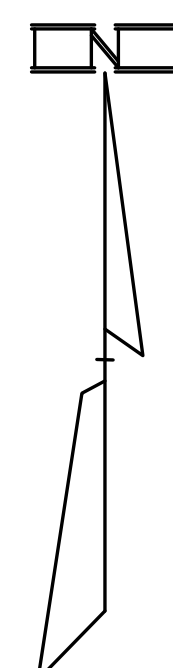
The property is a very unique and is not self-created, this was not created by the current property owner. This lot should be given substantial justice (variances) similar to other properties in the area.

This property (site) is very unique in nature with unbuildable/wetlands area. Thus, granting the setback variance(s) does not allow another property owner to ask for the same variances.

The drawings show the new building, parking area + additional landscaping. This project is a huge upgrade/ investment into the area.

The new building will have 14 dwelling units (10) two- bedroom + (4) one-bedroom units. All units will have views of Pontiac Lake or the Huron River wetlands with access to the recreation area. Solid brick/ metal siding building (durable/ long lasting). This high end building will bring in clientele that should help to upgrade the entire area.

Also, we truly believe, this project will be the catalyst for future development in the surrounding area. The entire length of Pontiac Trail will be strengthened by this project.



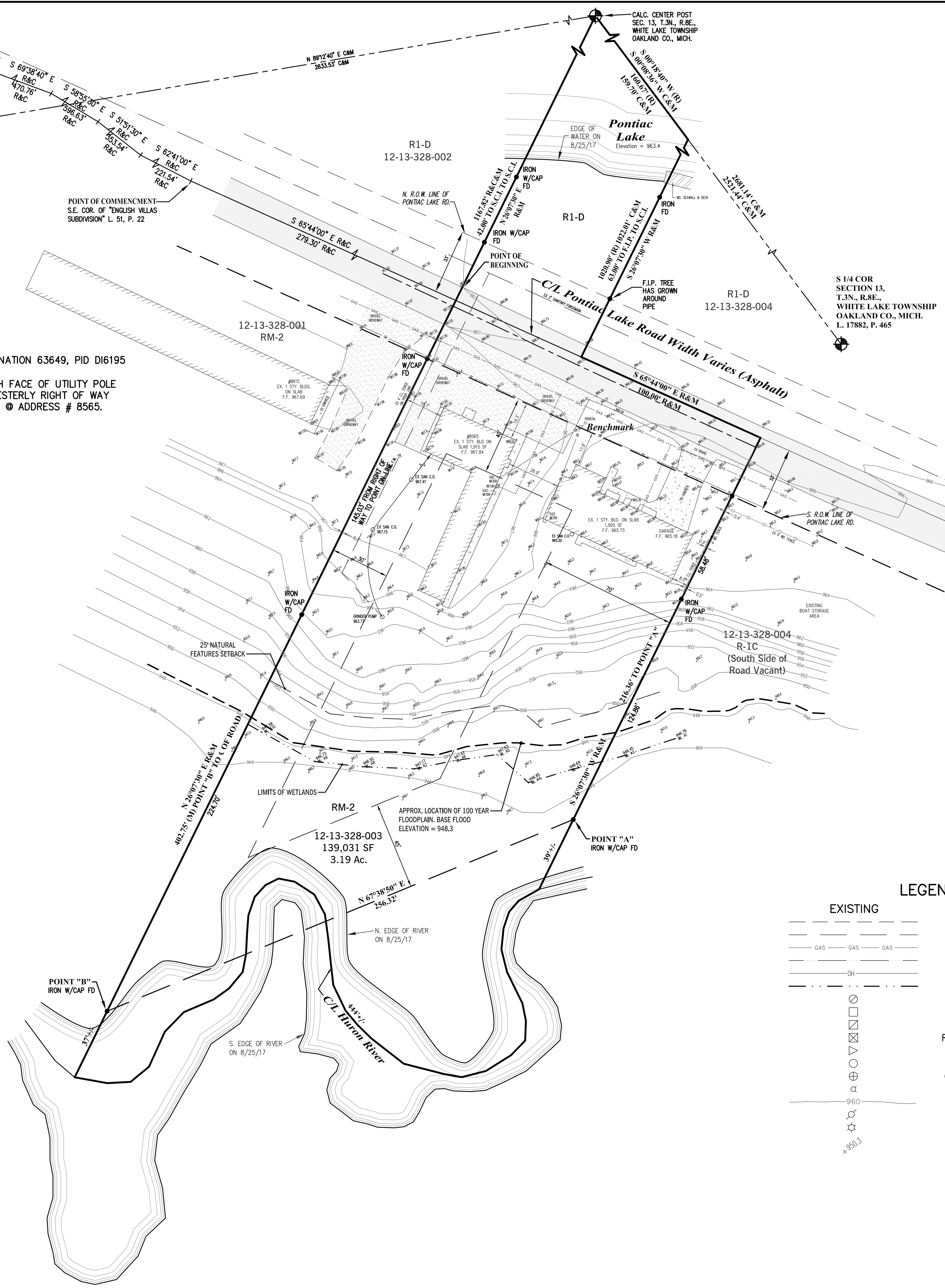
SITE LOCATION MAP
(NO SCALE)

Zoning Requirements

- RM-2 MULTIPLE FAMILY RESIDENTIAL**
 LOT - MIN. AREA: FT.²
 - MIN. WIDTH: 200 FT.
 COVERAGE - MAX. BUILDING: 20%
 SETBACKS - FRONT YARD: 40 FT.
 - REAR YARD: 45 FT.
 - SIDE YARD: 70 FT.
 - SIDE TOTAL: 100 FT.
 HEIGHT - MAX. BUILDING: 35 FT./ 2 STY.
 - R1-D SINGLE FAMILY RESIDENTIAL**
 LOT - MIN. AREA: 12,000 FT.²
 - MIN. WIDTH: 80 FT.
 COVERAGE - MAX. BUILDING: 20%
 SETBACKS - FRONT YARD: 30 FT.
 - REAR YARD: 30 FT.
 - SIDE YARD: 10 FT.
 - SIDE TOTAL: 20 FT.
 HEIGHT - MAX. BUILDING: 25 FT./ 2 STY.
- EXISTING CONDITIONS**
 LOT - AREA: 139,031 FT.²
 - WIDTH: ≈ 170 FT.
 COVERAGE - 3,820 FT.² - 2.7%
- PROPOSED CONDITIONS - SEE NOTES SHEET 2**
 COVERAGE - ADDITION: XXX.X FT.²
 - TOTAL BLD.: X,XXX.X FT.² XX.X%
 - TOTAL IMP.: X,XXX.X FT.² XX.X%

Benchmark Notes

- #1) NGS REFERENCE MARK DESIGNATION 63649, PID D16195
ELEVATION: 957.24 NAVD88
- #2) (SITE BM) SET NAIL IN NORTH FACE OF UTILITY POLE
LOCATED NEAR THE SOUTHWESTERLY RIGHT OF WAY
LINE OF PONTIAC LAKE ROAD @ ADDRESS # 8565.
ELEVATION: 968.36 NAVD88



Parcel 12-13-328-003:

LEGAL DESCRIPTION AS RECORDED L. 50535, P. 481

PART OF THE SOUTHWEST 1/4 OF SECTION 13, TOWN 3 NORTH, RANGE 8 EAST, WHITE LAKE TOWNSHIP, OAKLAND COUNTY, MICHIGAN, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT IN THE CENTERLINE OF PONTIAC TRAIL ROAD, SAID POINT BEING DISTANT SOUTH 65 DEGREES 44 MINUTES EAST 279.3 FEET; THENCE NORTH 26 DEGREES 07 MINUTES 30 SECONDS EAST 1167.82 FEET TO A POINT IN PONTIAC LAKE; THENCE SOUTH 00 DEGREES 18 MINUTES 40 SECONDS WEST ALONG THE NORTH-SOUTH 1/4 LINE 166.67 FEET TO A POINT IN PONTIAC LAKE; THENCE SOUTH 26 DEGREES 07 MINUTES 30 SECONDS WEST 1020.9 FEET TO A POINT IN THE CENTERLINE OF PONTIAC LAKE ROAD; THENCE SOUTH 65 DEGREES 44 MINUTES 00 SECONDS EAST ALONG SAID CENTERLINE OF PONTIAC LAKE ROAD 100.00 FEET; THENCE SOUTH 26 DEGREES 07 MINUTES 30 SECONDS WEST 265 FEET, MORE OR LESS, TO THE CENTERLINE OF HURON RIVER; THENCE SOUTHWESTERLY ALONG CENTERLINE OF HURON RIVER 230 FEET, MORE OR LESS; THENCE NORTH 26 DEGREES 07 MINUTES 30 SECONDS EAST 400 FEET, MORE OR LESS, TO THE POINT OF BEGINNING;

LEGAL DESCRIPTION AS SURVEYED

PARCEL ID# 12-13-328-003

COMMONLY KNOWN AS: 8565 PONTIAC LAKE ROAD

PART OF THE SOUTHWEST 1/4 OF SECTION 13, TOWN 3 NORTH, RANGE 8 EAST, WHITE LAKE TOWNSHIP, OAKLAND COUNTY, MICHIGAN, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT IN THE CENTERLINE OF PONTIAC TRAIL ROAD, SAID POINT BEING DISTANT SOUTH 65 DEGREES 44 MINUTES 00 SECONDS EAST 279.30 FEET FROM THE SOUTHEAST CORNER OF "ENGLISH VILLAS SUBDIVISION" BEING PART OF SECTIONS 11, 13 & 14, TOWN 3 NORTH, RANGE 8 EAST, WHITE LAKE TOWNSHIP, OAKLAND COUNTY, MICHIGAN AS RECORDED IN LIBER 51 OF PLATS ON PAGES 22 & 23 OF OAKLAND COUNTY RECORDS, SAID SOUTHEAST CORNER BEING DISTANT THE FOLLOWING SIX (6) COURSES FROM THE WEST 1/4 CORNER OF SAID SECTION 13: (1) NORTH 00 DEGREES 14 MINUTES 10 SECONDS EAST 35.16 FEET TO A POINT ON THE CENTERLINE OF PONTIAC LAKE ROAD, (2) SOUTH 72 DEGREES 07 MINUTES 40 SECONDS EAST 459.17 FEET ALONG SAID CENTERLINE, (3) SOUTH 69 DEGREES 38 MINUTES 40 SECONDS EAST 470.76 FEET ALONG SAID CENTERLINE, (4) SOUTH 58 DEGREES 35 MINUTES 30 SECONDS EAST 596.63 FEET ALONG SAID CENTERLINE, (5) SOUTH 51 DEGREES 51 MINUTES 30 SECONDS EAST 353.54 FEET ALONG SAID CENTERLINE AND (6) SOUTH 62 DEGREES 41 MINUTES 00 SECONDS EAST 221.54 FEET ALONG SAID CENTERLINE; THENCE NORTH 26 DEGREES 07 MINUTES 30 SECONDS EAST 1167.82 FEET TO THE CENTER OF SAID SECTION 13 AS CALCULATED, SAID CENTER OF SECTION AS CALCULATED FALLS IN PONTIAC LAKE; THENCE SOUTH 00 DEGREES 08 MINUTES 36 SECONDS WEST ALONG THE NORTH-SOUTH 1/4 LINE 159.70 FEET TO A POINT IN PONTIAC LAKE, SAID POINT BEING DISTANT NORTH 00 DEGREES 08 MINUTES 36 SECONDS EAST 2521.44 FEET FROM THE SOUTH 1/4 CORNER OF SAID SECTION 13; THENCE SOUTH 26 DEGREES 07 MINUTES 30 SECONDS WEST 1022.01 FEET TO A POINT IN THE CENTERLINE OF PONTIAC LAKE ROAD; THENCE SOUTH 65 DEGREES 44 MINUTES 00 SECONDS EAST ALONG SAID CENTERLINE OF PONTIAC LAKE ROAD 100.00 FEET; THENCE SOUTH 26 DEGREES 07 MINUTES 30 SECONDS WEST 235.77 FEET TO A POINT CALLED POINT "A"; THENCE CONTINUING SOUTH 26 DEGREES 07 MINUTES 30 SECONDS WEST 20 FEET, MORE OR LESS, TO THE CENTERLINE OF HURON RIVER; THENCE SOUTHWESTERLY ALONG CENTERLINE OF HURON RIVER 444 FEET, MORE OR LESS; THENCE NORTH 26 DEGREES 07 MINUTES 30 SECONDS EAST 44 FEET, MORE OR LESS TO POINT "B"; SAID POINT "B" BEING DISTANT SOUTH 71 DEGREES 46 MINUTES 07 SECONDS WEST 237.64 FEET FROM SAID POINT "A"; THENCE CONTINUING NORTH 26 DEGREES 07 MINUTES 30 SECONDS EAST 396.40 FEET TO THE POINT OF BEGINNING;

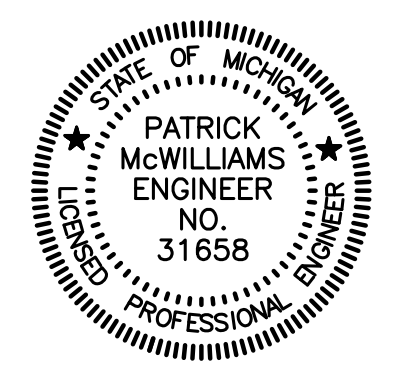
CONTAINING 3.19 ACRES OF LAND MORE OR LESS, SUBJECT TO THE RIGHTS OF THE PUBLIC FOR PONTIAC LAKE ROAD OVER THAT PORTION OF THE ABOVE DESCRIBED PROPERTY LOCATED 33 FEET ON BOTH SIDES AS MEASURED AT RIGHT ANGLES FROM THE CENTERLINE OF SAID PONTIAC LAKE ROAD. ALSO SUBJECT TO ANY OTHER EASEMENTS OR RESTRICTIONS OF USE OR RECORD.

LEGEND

- EXISTING**
- STORM SEWER
- SANITARY SEWER
- GAS MAIN
- ELEC. TELE. CABLE
- EXISTING OVERHEAD
- WETLAND LIMITS
- STORM MANHOLE
- CATCH BASIN
- INLET
- REARYARD CATCH BASIN
- END SECTION
- SANITARY MANHOLE
- GATE VALVE AND WELL
- HYDRANT
- CONTOURS
- POWER POLE
- LIGHT POLE
- GRADE

Sheet Index:

- 1. Existing Conditions Plan
- 2. Preliminary Site Plan
- 3. Notes, Calculations & Details



6/20/2019 07:10:07 AM \p\Bozanski Site Plan.dwg, EdL 11/4/2020 8:47:15 AM

DATE	ISSUE
7-15-19	ADDED WELL W/NOTE PER CLIENT
1-8-2020	ADDED WETLANDS
6-1-2020	REVISED BUILDING & PARKING LAYOUT
8-15-2020	REVISED BUILDING & PARKING LAYOUT
11-4-2020	REVISED FOR SUBMITAL

PROPRIETOR:
 JOHN ROZANSKI
 2704 WABUM
 WHITE LAKE, MICHIGAN 48386
 (248) 231-8529

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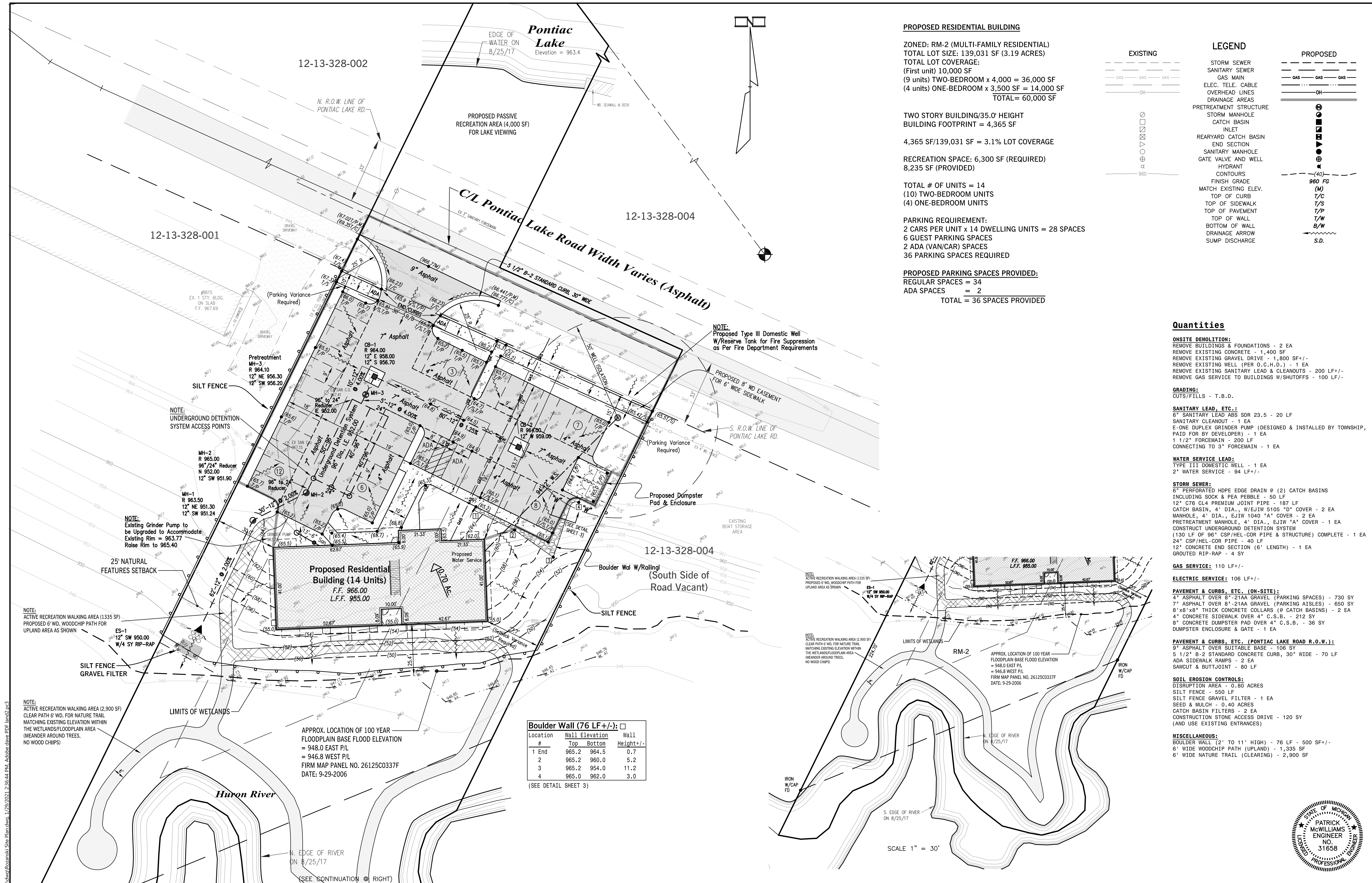
KIEFT ENGINEERING, INC.
 PROFESSIONAL ENGINEERS AND PROFESSIONAL SURVEYORS
 5852 SOUTH MAIN STREET, SUITE 1, CLARKSTON, MICHIGAN 48346
 PHONE (248) 625-5251 www.kiefteng.com FAX (248) 625-7110

DATE	CKD. BY	DATE
4-26-19		



Existing Conditions Plan
"Pontiac Lake Overlook"
 PART OF THE SW 1/4 OF SECTION 13, T.3N., R.8E.,
 WHITE LAKE TOWNSHIP, OAKLAND COUNTY, MICHIGAN

SCALE	1" = 30'
SHEET	1 OF 3
KE 2019.071	



PROPOSED RESIDENTIAL BUILDING
 ZONED: RM-2 (MULTI-FAMILY RESIDENTIAL)
 TOTAL LOT SIZE: 139,031 SF (3.19 ACRES)
 TOTAL LOT COVERAGE:
 (First unit) 10,000 SF
 (9 units) TWO-BEDROOM x 4,000 = 36,000 SF
 (4 units) ONE-BEDROOM x 3,500 SF = 14,000 SF
 TOTAL = 60,000 SF

TWO STORY BUILDING/35.0' HEIGHT
 BUILDING FOOTPRINT = 4,365 SF

4,365 SF/139,031 SF = 3.1% LOT COVERAGE

RECREATION SPACE: 6,300 SF (REQUIRED)
 8,235 SF (PROVIDED)

TOTAL # OF UNITS = 14
 (10) TWO-BEDROOM UNITS
 (4) ONE-BEDROOM UNITS

PARKING REQUIREMENT:
 2 CARS PER UNIT x 14 DWELLING UNITS = 28 SPACES
 6 GUEST PARKING SPACES
 2 ADA (VAN/CAR) SPACES
 36 PARKING SPACES REQUIRED

PROPOSED PARKING SPACES PROVIDED:
 REGULAR SPACES = 34
 ADA SPACES = 2
 TOTAL = 36 SPACES PROVIDED

EXISTING	LEGEND	PROPOSED
---	STORM SEWER	---
---	SANITARY SEWER	---
---	GAS MAIN	---
---	ELEC. TELE. CABLE	---
---	OVERHEAD LINES	---
---	DRAINAGE AREAS	---
---	PRETREATMENT STRUCTURE	---
---	STORM MANHOLE	---
---	CATCH BASIN	---
---	INLET	---
---	REARYARD CATCH BASIN	---
---	END SECTION	---
---	SANITARY MANHOLE	---
---	GATE VALVE AND WELL	---
---	HYDRANT	---
---	CONTOURS	---
---	FINISH GRADE	---
---	MATCH EXISTING ELEV.	---
---	TOP OF CURB	---
---	TOP OF SIDEWALK	---
---	TOP OF PAVEMENT	---
---	TOP OF WALL	---
---	BOTTOM OF WALL	---
---	DRAINAGE ARROW	---
---	SUMP DISCHARGE	---

Quantities

ONSITE DEMOLITION:
 REMOVE BUILDINGS & FOUNDATIONS - 2 EA
 REMOVE EXISTING CONCRETE - 1,400 SF
 REMOVE EXISTING GRAVEL DRIVE - 1,800 SF +/-
 REMOVE EXISTING WELL (PER O.C.H.D.) - 1 EA
 REMOVE EXISTING SANITARY LEAD & CLEANOUTS - 200 LF +/-
 REMOVE GAS SERVICE TO BUILDINGS W/SHUTOFFS - 100 LF +/-

GRADING:
 CUTS/FILLS - T.B.D.

SANITARY LEAD, ETC.:
 6" SANITARY LEAD ABS SDR 23.5 - 20 LF
 SANITARY CLEANOUT - 1 EA
 E-ONE DUPLEX GRINDER PUMP (DESIGNED & INSTALLED BY TOWNSHIP, PAID FOR BY DEVELOPER) - 1 EA
 1 1/2" FORCEMAIN - 200 LF
 CONNECTING TO 3" FORCEMAIN - 1 EA

WATER SERVICE LEAD:
 TYPE III DOMESTIC WELL - 1 EA
 2" WATER SERVICE - 94 LF +/-

STORM SEWER:
 6" PERFORATED HDPE EDGE DRAIN @ (2) CATCH BASINS INCLUDING SOCK & PEA PEBBLE - 50 LF
 12" C76 CL4 PREMIUM JOINT PIPE - 187 LF
 CATCH BASIN, 4' DIA., W/ELW 5105 1" D" COVER - 2 EA
 MANHOLE, 4' DIA., EJIW 1040 "A" COVER - 2 EA
 PRETREATMENT MANHOLE, 4' DIA., EJIW "A" COVER - 1 EA
 CONSTRUCT UNDERGROUND DETENTION SYSTEM (130 LF OF 96" CSP/HEL-COR PIPE & STRUCTURE) COMPLETE - 1 EA
 24" CSP/HEL-COR PIPE - 40 LF
 12" CONCRETE END SECTION (6' LENGTH) - 1 EA
 GROUTED RIP-RAP - 4 SY

GAS SERVICE: 110 LF +/-

ELECTRIC SERVICE: 106 LF +/-

PAVEMENT & CURBS, ETC. (ON-SITE):
 4" ASPHALT OVER 8"-21AA GRAVEL (PARKING SPACES) - 730 SY
 7" ASPHALT OVER 8"-21AA GRAVEL (PARKING AISLES) - 650 SY
 8"x8"x8" THICK CONCRETE COLLARS (@ CATCH BASINS) - 2 EA
 4" CONCRETE SIDEWALK OVER 4" C.S.B. - 212 SY
 8" CONCRETE DUMPSTER PAD OVER 4" C.S.B. - 36 SY
 DUMPSTER ENCLOSURE & GATE - 1 EA

PAVEMENT & CURBS, ETC. (PONTIAC LAKE ROAD R.O.W.):
 9" ASPHALT OVER SUITABLE BASE - 106 SY
 5 1/2" B-2 STANDARD CONCRETE CURB, 30" WIDE - 70 LF
 ADA SIDEWALK RAMPS - 2 EA
 SAWCUT & BUTTJOINT - 80 LF

SOIL EROSION CONTROLS:
 DISRUPTION AREA - 0.80 ACRES
 SILT FENCE - 550 LF
 SILT FENCE GRAVEL FILTER - 1 EA
 SEED & MULCH - 0.40 ACRES
 CATCH BASIN FILTERS - 2 EA
 CONSTRUCTION STONE ACCESS DRIVE - 120 SY
 (AND USE EXISTING ENTRANCES)

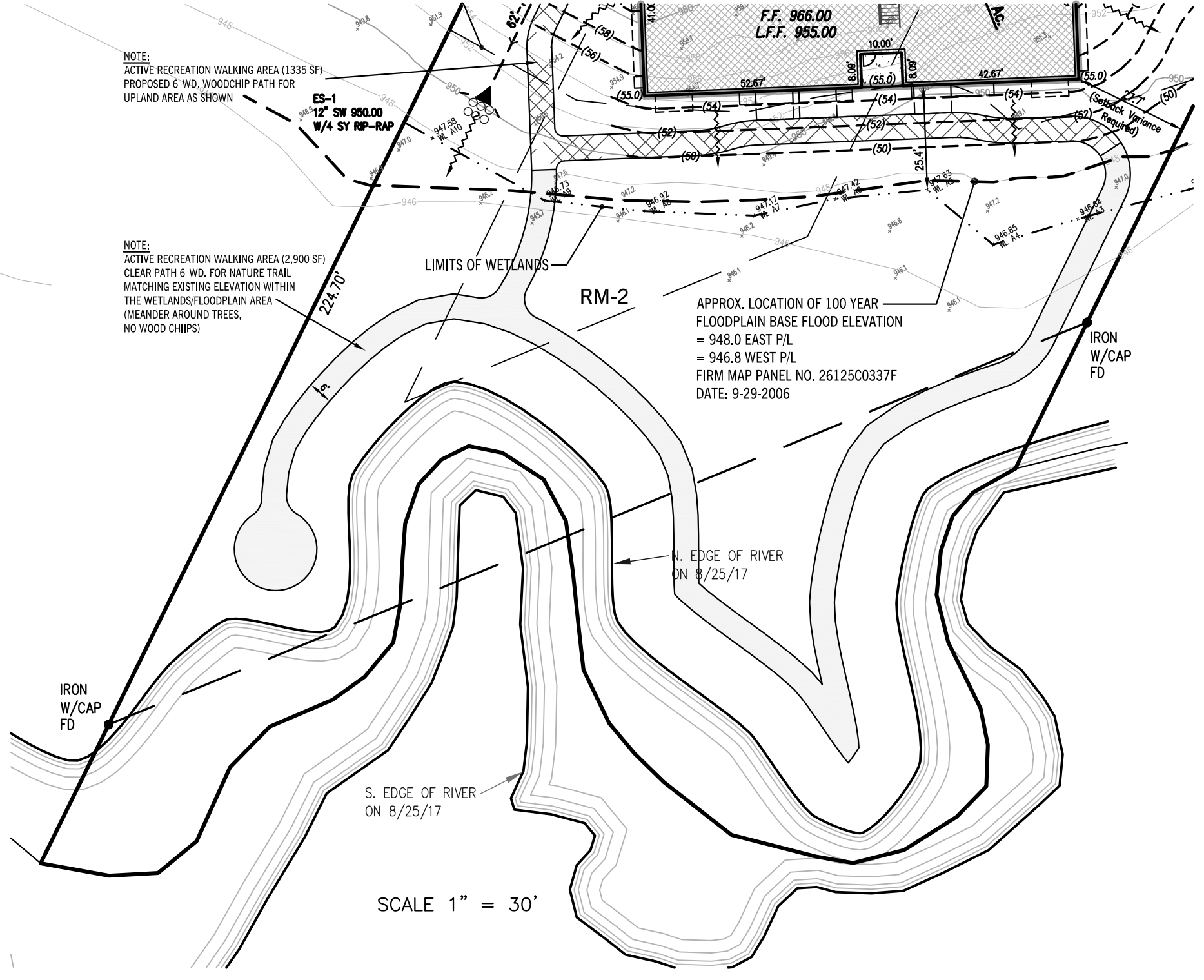
MISCELLANEOUS:
 BOULDER WALL (2' TO 11' HIGH) - 76 LF - 500 SF +/-
 6' WIDE WOODCHIP PATH (UPLAND) - 1,335 SF +/-
 6' WIDE NATURE TRAIL (CLEARING) - 2,900 SF

Boulder Wall (76 LF +/-):

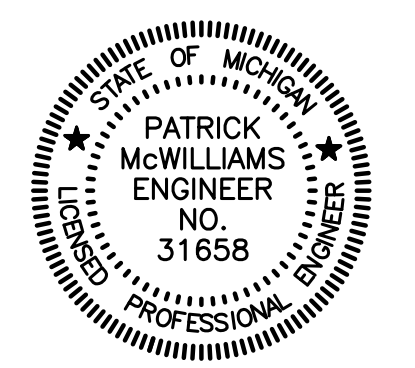
Location	Wall Elevation	Wall	
#	Top	Bottom	Height +/-
1 End	965.2	964.5	0.7
2	965.2	960.0	5.2
3	965.2	954.0	11.2
4	965.0	962.0	3.0

(SEE DETAIL SHEET 3)

APPROX. LOCATION OF 100 YEAR FLOODPLAIN BASE FLOOD ELEVATION = 948.0 EAST P/L = 946.8 WEST P/L FIRM MAP PANEL NO. 26125C0337F DATE: 9-29-2006



SCALE 1" = 30'

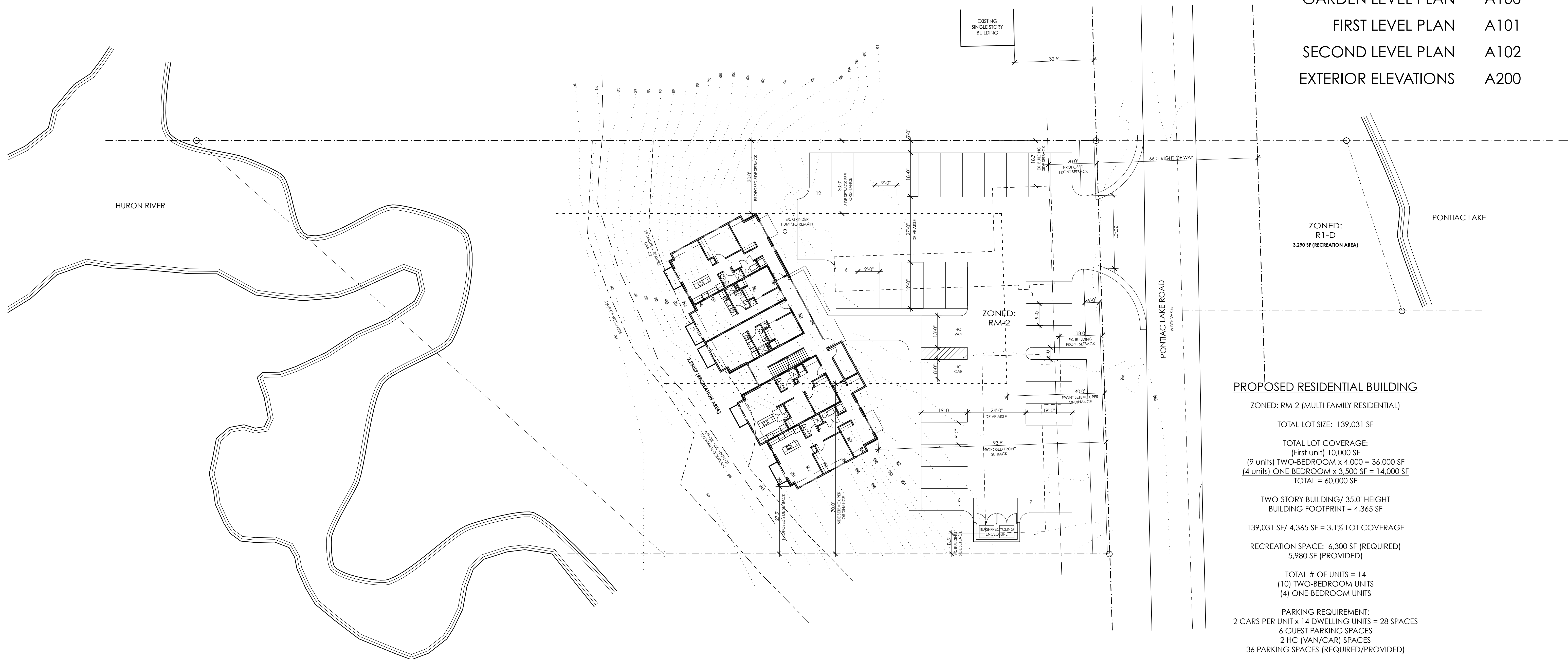


14-UNIT RESIDENTIAL BUILDING

8565 PONTIAC LAKE ROAD
WHITE LAKE TOWNSHIP, MICHIGAN

ARCHITECTURAL SHEET INDEX:

ARCHITECTURAL SITE PLAN	AS00
EXISTING CONDITIONS PLAN	1 of 2
PRELIMINARY SITE PLAN	2 of 2
GARDEN LEVEL PLAN	A100
FIRST LEVEL PLAN	A101
SECOND LEVEL PLAN	A102
EXTERIOR ELEVATIONS	A200



PROPOSED RESIDENTIAL BUILDING

ZONED: RM-2 (MULTI-FAMILY RESIDENTIAL)

TOTAL LOT SIZE: 139,031 SF

TOTAL LOT COVERAGE:

(First unit) 10,000 SF

(9 units) TWO-BEDROOM x 4,000 = 36,000 SF

(4 units) ONE-BEDROOM x 3,500 SF = 14,000 SF

TOTAL = 60,000 SF

TWO-STORY BUILDING/ 35.0' HEIGHT

BUILDING FOOTPRINT = 4,365 SF

139,031 SF / 4,365 SF = 3.1% LOT COVERAGE

RECREATION SPACE: 6,300 SF (REQUIRED)

5,980 SF (PROVIDED)

TOTAL # OF UNITS = 14

(10) TWO-BEDROOM UNITS

(4) ONE-BEDROOM UNITS

PARKING REQUIREMENT:

2 CARS PER UNIT x 14 DWELLING UNITS = 28 SPACES

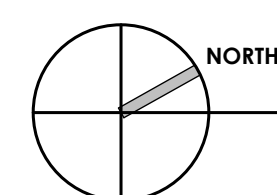
6 GUEST PARKING SPACES

2 HC (VAN/CAR) SPACES

36 PARKING SPACES (REQUIRED/PROVIDED)

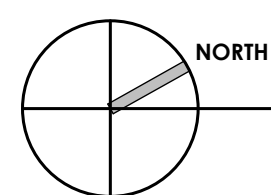
RECREATION AREA:

6,200 SF REQUIRED/ 5,520 SF PROVIDED



ARCHITECTURAL SITE PLAN

SCALE: 1" = 20'-0"



NORTH

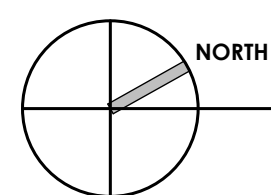
GARDEN LEVEL PLAN

SCALE: 1/8" = 1'-0"



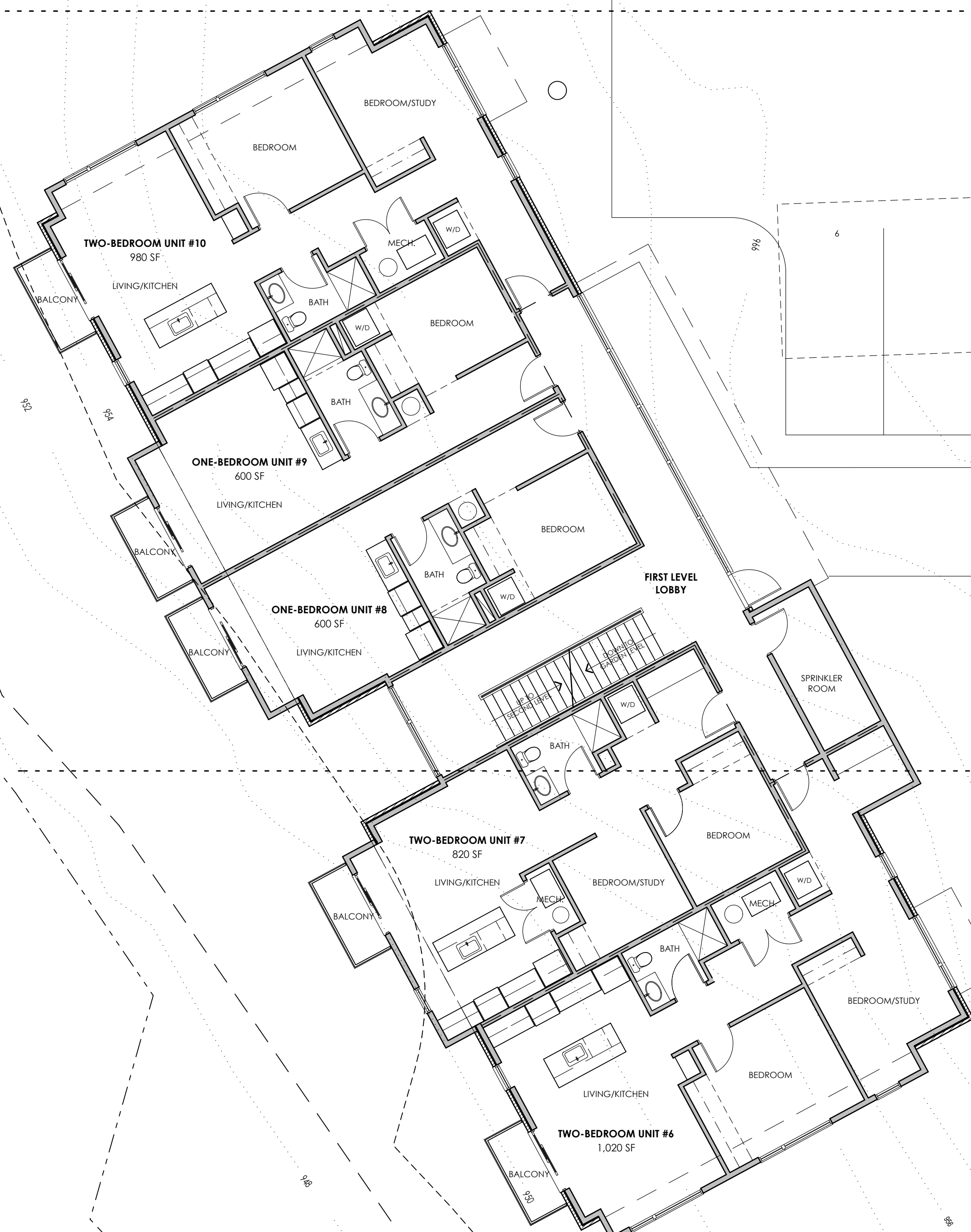
ZONED:
RM-2

PONTIAC LAKE ROAD
WIDTH VARIES



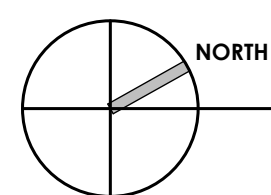
FIRST LEVEL PLAN

SCALE: 1/8" = 1'-0"



ZONED:
RM-2

PONTIAC LAKE ROAD
WIDTH VARIES



NORTH

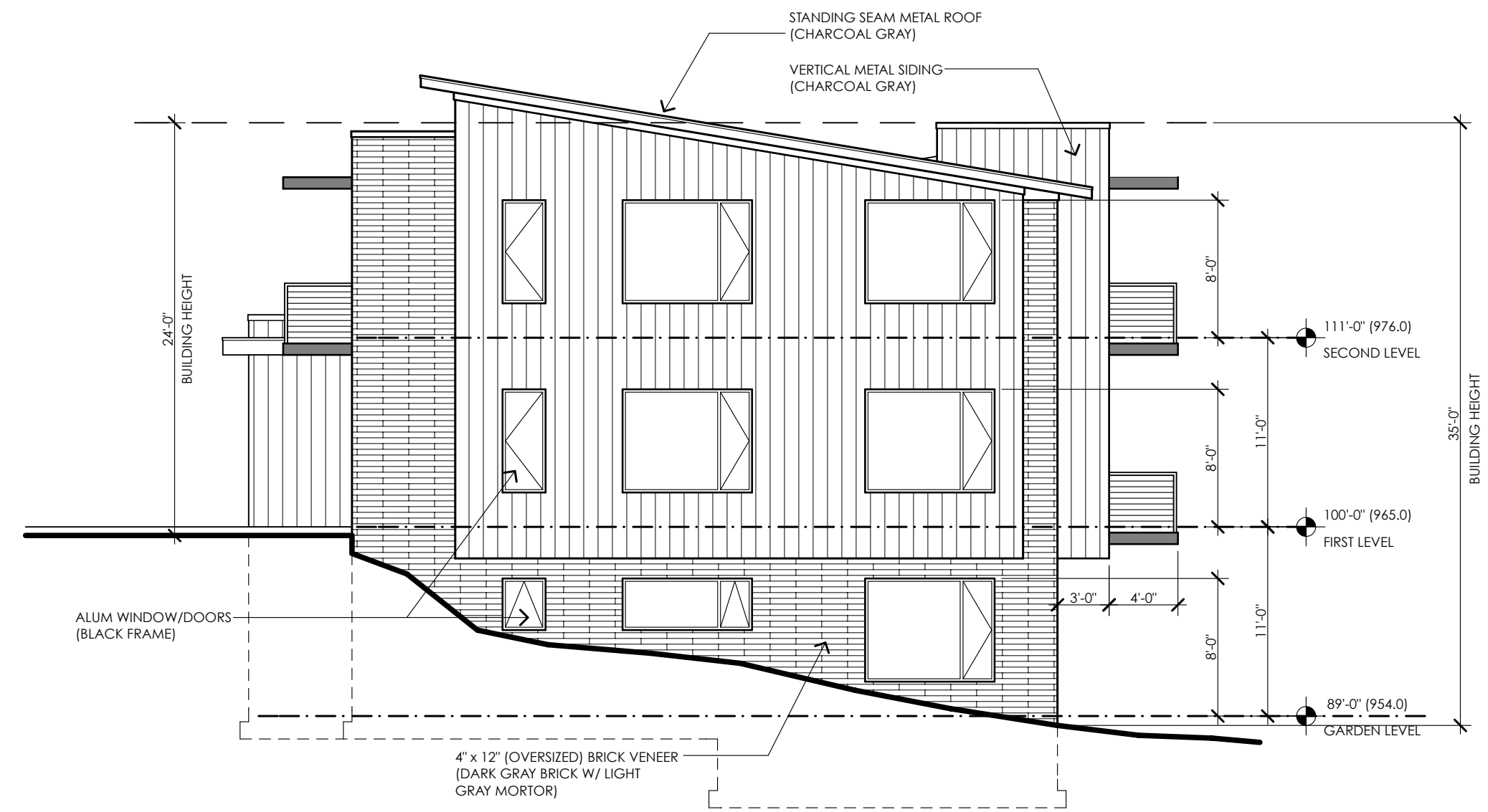
SECOND LEVEL PLAN

SCALE: 1/8" = 1'-0"



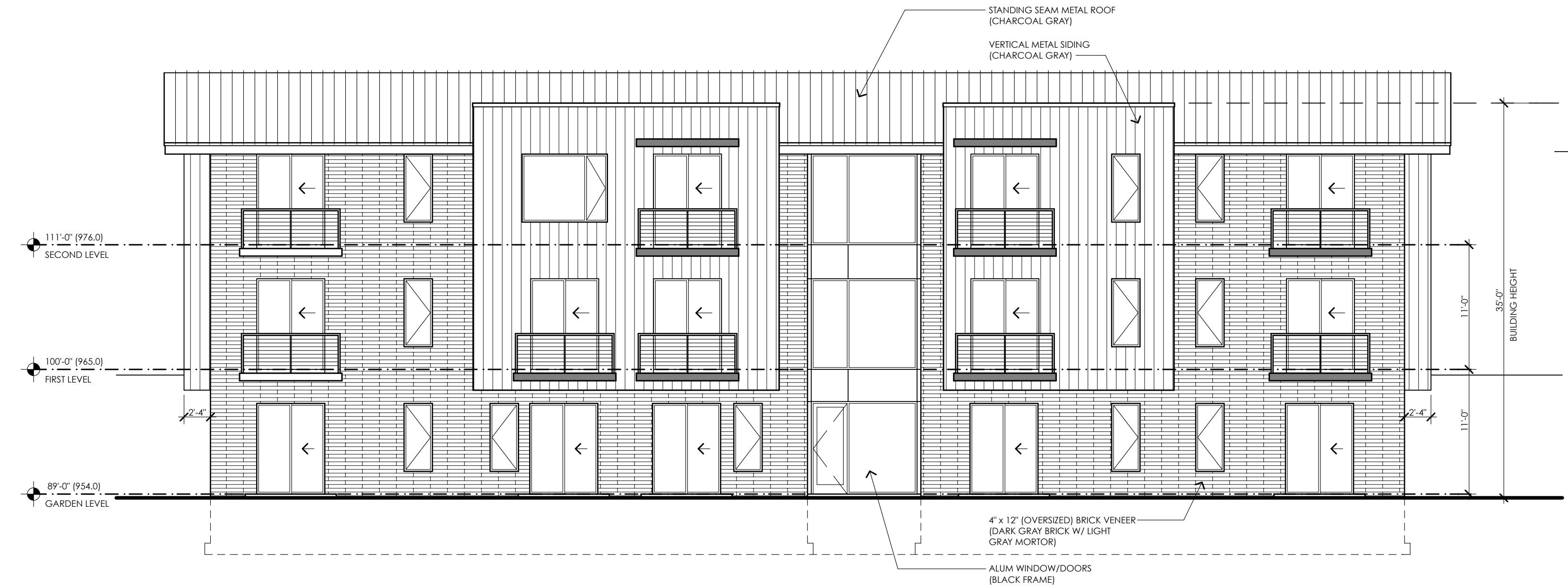
ZONED:
RM-2

PONTIAC LAKE ROAD
WIDTH VARIES



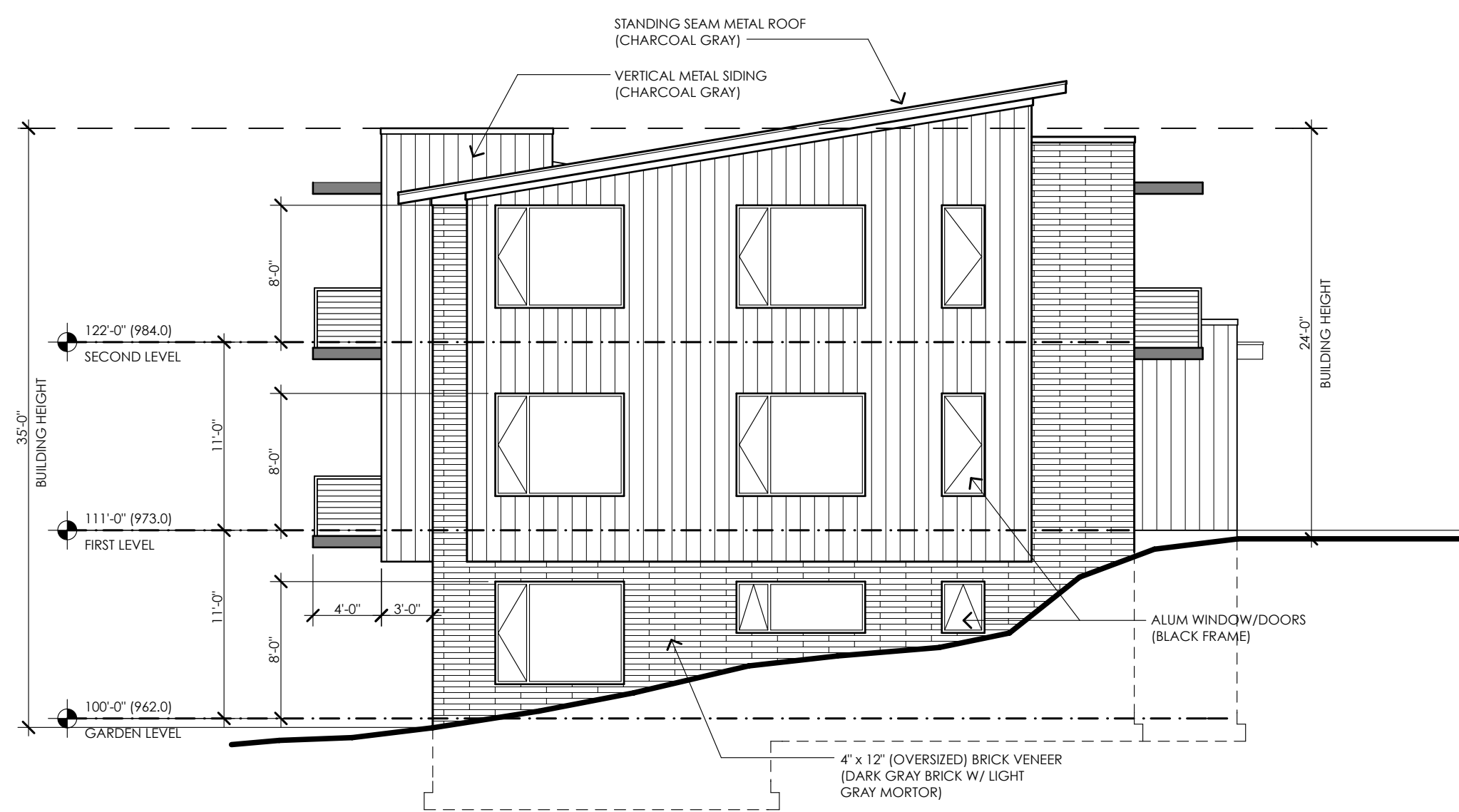
WEST ELEVATION

SCALE: 1/8" = 1'-0"



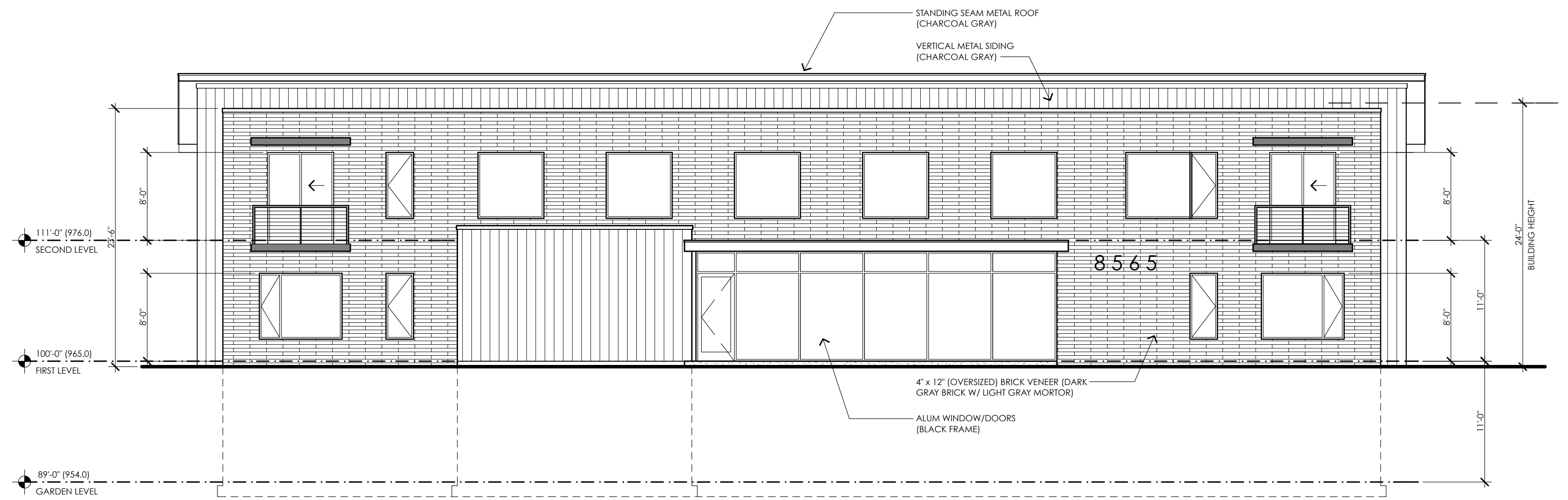
SOUTH ELEVATION

SCALE: 1/8" = 1'-0"



EAST ELEVATION

SCALE: 1/8" = 1'-0"



NORTH (PONTIAC TRAIL) ELEVATION

SCALE: 1/8" = 1'-0"