Ms. Spencer called the regular meeting of the White Lake Township Zoning Board of Appeals to order at 7:00 p.m. and led the Pledge of Allegiance. Roll was called:

| ROLL CALL: | Josephine Spencer - Chairperson, present in White Lake, MI <br> Dave Walz - Vice Chair, present in White Lake, MI <br>  <br>  <br>  <br>  <br>  <br> Clif Seiber, present in White Lake, MI Schillack, present in White Lake, MI <br> Mike Powell, present in Denver, CO |
| :--- | :--- |
| Also Present: | Justin Quagliata, Staff Planner <br> Nick Spencer, White Lake Township Building Official <br> Hannah Micallef, Recording Secretary |
| Visitors: | 0 |

## APPROVAL OF THE AGENDA:

Chairperson Spencer said cases $6 a$ and 6 b asked to be removed from the agenda. Mr. Schillack asked the reasons for the applicants withdrawing their requests. Mr. Quagliata said case 6 a needed to rework their plans and would reapply in the future, and 6b needed to rework their plans as well, and would likely apply for May's meeting.

Mr. Walz MOTIONED to approve the agenda as amended. Mr. Seiber SUPPORTED and the MOTION CARRIED with a roll call vote: (Walz/yes, Seiber/yes, Schillack/yes, Spencer/yes, Powell/yes).

## APPROVAL OF MINUTES:

Zoning Board of Appeals Regular Meeting of February 25, 2021.
Mr. Walz MOTIONED to approve the regular meeting minutes of February 25, 2021 as presented. Mr. Powell SUPPORTED and the MOTION CARRIED with a roll call vote: (Walz/yes, Powell/yes, Spencer/yes, Schillack/yes, Seiber/yes).

## NEW BUSINESS

c) Applicant: James Kovach

3700 Jackson Boulevard
White Lake, MI 48386
Location: 3700 Jackson Boulevard
White Lake, MI 48386 identified as 07-158-013
Request: The applicant requests to construct a house, requiring a variance from Article 1.5.E, R1- C Single Family Residential Side-Yard Setback, Minimum Lot Area, and Minimum Lot-Width.

Chairperson Spencer noted for the record that 26 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.

Mr. Powell asked staff about the west side access to the house, and what the status was on the driveway. Building Official Spencer said the portion of the land in the front of the lot was split and given to the two lots along the lake. The plans looked like an easement was on the lot, but there was not.

Mr. Powell said the original piece of property had frontage along Jackson Blvd, and the house on the lake was accessed by the drive coming off of Jackson Blvd. Mr. Powell asked if the proposed house was going to have frontage along the west property line or the north property line.

Jim Kovach and Bridget Beck were present to speak on their case, 3700 Jackson Blvd. The new house would be moved to the west to have 5' setbacks on the side. The entrance to the house on the west would have a covered porch. The lane to the west had a 20' easement for the surrounding homeowners to access Jackson Blvd.

Staff Planner Quagliata said the access easement off of Jackson Blvd. was a legal road, and the setback would be $35^{\prime}$ from the corner of the ROW. The property technically had two front yards, off Jackson Blvd. as well as the Jackson extension. The property was technically considered a corner lot.

Mr. Powell asked staff if there was a legal issue with the way the variances were published, due to discovering the access road was technically making the west yard a front yard and not a side yard. Staff Planner Quagliata confirmed, since the dimension for that setback on the plan was 13 ', and the required setback was $35^{\prime}$ as it was a front yard setback.

Mr. Powell asked if the ZBA was able to grant the variance as it was advertised. Chairperson Spencer said she didn't believe they could, as the front yard was discovered as such and it was not advertised that way. She added the other variances could be voted on as advertised.

Chairperson Spencer asked staff if a motion could be made for the first three variances, and have the fourth variance for the newly discovered front yard setback be tabled. Staff Planner Quagliata said that could be done. Chairperson Spencer said by voting on the other variances, the applicant would know which way the ZBA was headed in regards to their case. Staff Planner Quagliata said he didn't have an issue with the ZBA proceeding in that manner.

Mr. Kovach said he was trying to alleviate some of the nonconformity on the sides of the house. He said the neighbors had recently redone their garage, and it changed the grade on the neighbor's property so water was flooding into the applicant's yard. He wanted to raise his house up and away from the water.

Chairperson Spencer opened the public hearing at 7:27 P.M.

Pam Patch, 3690 Jackson. She wanted to know where the applicant's garage was going to be, and if it was going to be where the applicant currently parked. Mr. Kovach said no, it would be setback 8-10' towards the lake. She said she was concerned about drainage.

Chairperson Spencer asked staff if drainage would be dealt with as they came up. Building Official Spencer said any issues the applicant was dealing with currently would be dealt with by the applicant's engineer.

Chairperson Spencer closed the public hearing at 7:31 P.M.

$$
2 \mid \mathrm{Page}
$$

Mr. Powell said he concurred with Staff Planner Quagliata that the westerly side of the house would be the front. He added when he visited the site, the applicants presented the westerly side as the front of the house. Mr. Powell added while the same issues remained with the westerly setback, the advertisement to the public had to be corrected.

Mr. Seiber said the lot was measured from the westerly setback as the front yard, since the lot width would be arched. The lot width would be strange due to this. He said it was not clear if the side yard setback included the overhang. The lot was not very wide, and made for a challenge to improve upon. He saw a struggle for the applicant to meet 5 ' side yard setbacks and put a house on the lot.

Mr. Powell asked staff if the plans showed the walls of the structure $6^{\prime}$ from the property line and the overhangs were not addressed, was it correct the ZBA did not grant overhang setbacks, just wall setbacks. Staff Planner Quagliata confirmed.

Staff Planner Quagliata said lot depth was usually measured from the front yard lot line to the rear yard lot line. He said the if the west side was considered a front yard, the east side was still a side lot line. Depth was not measured from front to side, but front to rear. The Zoning Ordinance had a standard for depth to width ratio, which would be north to south on this lot.

Mr. Powell said another complication was the lane did not run the entire length of the applicant's westerly property line. Staff Planner Quagliata said if lot width was measured along the westerly lot line, the calculation would be 155 ' along the Jackson Blvd. extension. When measuring depth to width ratio, if the rear lot line was the south lot line, the width would be at the north lot line.

Staff Planner Quagliata said the three variances could be approved without tabling the fourth one, as the fourth one would need to come back with a new public hearing. The construction for the first three would not be permitted until the newly re-noticed variance was approved. He added the three variances considered today could be conditioned on approval of the front yard setback variance, so all four variances would be under the same time line for obtaining building permits.

Mr. Walz asked staff if mechanical components were addressed within the Township's code enforcement guidelines. Staff Planner Quagliata said in a situation like this, the section of the Zoning Ordinance that prohibited projections of anything within $5^{\prime}$ of a side yard lot line would be applied.

Mr. Powell MOVED to approve the variances requested by James Kovach from Article 3.1.5.E of the Zoning Ordinance for Parcel Number 12-07-158-013, identified as 3700 Jackson Boulevard, in order to construct a new house that would encroach 4 feet into the required east side yard setback. A 53.21 -foot variance from the required lot width and $5,066.44$ square foot variance from the required lot size are also granted from Article 3.1.5.E. This approval will have the following conditions:

- The Applicant shall obtain all necessary permits from the White Lake Township Building Department, including revised plans detailed to ensure the projections into the setbacks do not encroach into the 5 ' side yard setbacks.
- No A/C units or other mechanical units shall be placed along the east property line.
- The downspouts for the house be picked up in an underground conduit and the water run towards the lake.
- In no event shall the projection of the roof overhang be closer than five feet to the east and west lot lines.
- An as-built survey shall be required to verify the roof overhang setback from all lot lines after construction is completed.
- The effective date of these variances will concur simultaneously with a front yard setback variance the ZBA may grant at a future meeting.

Mr. Schillack SUPPORTED, and the motion CARRIED with a roll call vote (5 yes votes).
Powell: YES; there wasn't a self-imposed hardship and a practical difficulty was demonstrated.
Schillack: YES; there wasn't a self-imposed hardship.
Seiber: YES; the lot was narrow and there was difficulty building a house on the lot.
Spencer: YES; there was not a self-imposed hardship and there was a practical difficulty. Walz: YES; for the reasons stated.
d) Applicant: Robert Knisley

8780 Arlington Street
White Lake, MI 48386
Location: 9604 Buckingham Road
White Lake, MI 48386 identified as 12-14-201-015
Request: The applicant requests to construct an addition to a single-family house, requiring variances from Article 3.1.6.E, R1-D Single Family Residential Front-Yard Setback, Maximum Lot Coverage, and Minimum Lot Area. 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 19 owners within 300 feet were notified. 1 letter was 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.
Mr. Schillack asked staff if the house was habitable. Staff Planner Quagliata said it didn't appear to be, and should be addressed with the Dangerous Buildings Officer. The house was not a habitable structure.

Chairperson Spencer asked Building Official Spencer if he had visited the house. Building Official Spencer said yes, the house was close to being put onto the Dangerous Buildings list before the applicant bought it. He said at one point, the house did not have utilities properly connected while there were residents in it. He said he would require a structural engineer to verify the foundation as a condition if the variances requested this evening were granted.

Mr. Schillack asked staff if the ZBA denied the variances requested, could the ZBA request the Building Official to put the house on the Dangerous Buildings list. Staff Planner Quagliata confirmed, and said the building was dangerous prior to the applicant buying it, and should have been addressed by the Dangerous Buildings Officer months, if not years, ago.

Mr. Walz asked the Building Official if there were any violations on the house. Building Official Spencer confirmed.
Chairperson Spencer asked staff if the house were demolished, could a new house be built on it that would be in more conformity with the Zoning Ordinance. Mr. Quagliata confirmed, and added the lot was a double lot, and had access sanitary sewer.

Robert Knisley was present to speak on his case. He said the house was in disrepair for many years, and wanted to make it bigger for his family to live in. The foundation was raised less than 12 years ago and was inspected by a concrete contractor.

Mr. Schillack asked the applicant if he spent a night in the house. Mr. Knisley said no. Mr. Schillack asked the applicant if he thought it was safe to spend a night in the house. Mr. Knisley said no.

Mr. Powell asked the applicant if he had anyone out to inspect the exterior walls to see if they could support the load of a second floor and a modern roof. Mr. Knisley said he would install a steel beam with two stanchion posts, and the floor joists would be sitting on the steel beams. Mr. Powell asked the applicant what load would be going on the existing exterior walls. Mr. Knisley said the supported load was 40 lbs per sq. ft .

Mr. Seiber asked the applicant if a building permit was pulled when the foundation was raised. Mr. Knisley said he wasn't sure. Staff Planner Quagliata said there was no permit or inspection history for the property.

Mr. Powell asked the applicant what his hardship was in relation to the house. Mr. Knisley said the house was small and unliveable.

Chairperson Spencer opened the public hearing at 8:15 P.M. She read one letter in favor of the requested variances into the record.

Nick Oosting, 9568 Buckingham. He was in favor of the applicant's requested variances.
Chairperson Spencer closed the public hearing at 8:18 P.M.
Staff Planner Quagliata added the Dangerous Buildings procedure would not slow the applicant down. It would be beneficial to do so, so the new house could be built in compliance with the zoning ordinance.

Mr. Seiber asked the applicant if the interior walls would be removed to create a new layout. Mr. Knisley said yes, he would be leaving the wall that faced the road, and half of each side wall. Mr. Seiber said a lot of the existing structure was going to be removed, and it was unknown whether the foundation was built at the correct depth.

Mr. Schillack MOVED to deny the variances requested by Robert Knisley for Parcel Number 12-14-201-015, identified as 9604 Buckingham Road, due to the following reason(s):

- The house was unsafe, and if the house was not demolished within 60 days, the Building Official was to begin Dangerous Building proceedings.

Mr. Seiber SUPPORTED, and the motion CARRIED with a roll call vote ( 5 yes votes).
Schillack: YES; the house was dangerous.
Seiber: YES; a hardship was not demonstrated and nonconformities would be increased.

$$
5 \mid \mathrm{Page}
$$

Powell: YES; for the reasons stated.
Walz: YES; the ZBA was charged with maintaining public safety, health and welfare, and this house did not comply with that.
Spencer: YES; there was no practical difficulty, the situation was not unique. and the situation was self created. Substantial justice was not being taken away from the applicant as a house could be built on the property.
e) Applicant: Dave and Diane Sheill

11112 Windhurst Drive
White Lake, MI 48386
Location: 11112 Windhurst Drive
White Lake, MI 48386 identified as 12-33-476-010
Request: The applicants request to construct an accessory building (detached garage), requiring variances from Article 3.1.6.E, R1-D Single Family Residential Front Yard Setback, Maximum Lot Coverage, Minimum Lot Area, and Minimum Lot Width.

Chairperson Spencer noted for the record that 16 owners within 300 feet were notified. 0 letters were received in favor, 0 letters were received in opposition and 1 letter was returned undeliverable from the US Postal Service.

Staff Planner Quagliata gave his staff report.
Chairperson Spencer asked staff if the garage entrance would be off of Windhurst. Staff Planner Quagliata confirmed.

Mr. Schillack asked staff if there would be liveable space above the garage. Staff Planner Quagliata said the applicant intended to use it as storage/a work shop. Conditions could be placed on an approval to ensure the space would not be used as living space in the future.

Mr. Sheill was present to speak on his case. He said the existing garage was 15 ' from the road, and was in line with the other garages on the street. He wanted to remove the existing garage and move the new garage back and over to get $5^{\prime}$ from the front lot line and $5^{\prime}$ from the side yard lot line. There was a septic field behind the garage currently, so it wasn't possible to move it farther back. He added he worked with the Building and Planning Departments to comply with the Zoning Ordinance as much as possible. The original house was destroyed by fire in the 90's and rebuilt, but the garage was not rebuilt at that time.

Mr. Schillack asked the applicant if he intended the upstairs of the garage to be living space. Mr. Sheill said no.

Staff Planner Quagliata added he had met with the applicant many times over the past year, and the applicant had given the Planning Department different proposals to try to make his plans work for both himself and the Township.

Chairperson Spencer opened the public hearing at 8:54 P.M. Seeing no public comment, she closed the public hearing at 8:55 P.M.

Mr. Schillack MOVED to approve the variances requested by Dave and Diane Sheill from Article 3.1.6.E of the Zoning Ordinance for Parcel Number 12-33-476-010, identified as 11112 Windhurst Drive, in order to construct a detached garage that would exceed the allowed lot coverage by $\mathbf{7 \%}$ and encroach 25 feet into the required front yard setback. A 30.97-foot variance from the required lot width and 674.4 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.
- The garage shall not be used as living space.
- No septic or future sanitary sewer services shall be extended to the garage.

Mr. Walz SUPPORTED, and the motion CARRIED with a roll call vote ( 5 yes votes):
Schillack: YES; the proposed garage would be in alignment with the other garages on the street and a hardship was demonstrated.
Walz: YES; a practical difficulty existed and there was not a self-imposed hardship. The variances reduced the nonconformities of the existing garage by setting the new garage back from the west property line further and off the road.
Spencer: YES; a practical difficulty was demonstrated.
Seiber: YES; nonconformities were reduced.
Powell: YES; for the reasons stated.

Other Business
There was no other business.

Adjournment: Mr. Schillack MOTIONED to adjourn the meeting at 9:08 PM. Mr. Walz SUPPORTED. All in favor.

Next Meeting Date: April 22, 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: April 22, 2021

Agenda item: 6a

Appeal Date: April 22, 2021

Applicant: James Kovach

Address: $\quad 3700$ Jackson Boulevard White Lake, MI 48386

Zoning: $\quad$ R1-C Single Family Residential

Location: 3700 Jackson Boulevard
White Lake, MI 48386

## Property Description

The approximately 0.251 -acre ( $10,933.56$ square feet) parcel identified as 3700 Jackson Boulevard is located on White Lake and zoned R1-C (Single Family Residential). The existing house on the property (approximately 1,129 square feet in size) utilizes a private well for potable water and a private septic system for sanitation.

## Applicant's Proposal

James Kovach, the applicant, is proposing to demolish the existing house and construct a new house.

## Planner's Report

On March 25, 2021 the applicant received a variance from the ZBA to allow a six (6) foot side yard setback from the east property line. Variances were also granted to address the area and width deficiencies of the lot. A variance to allow the house to encroach 22 feet into the 35 -foot setback from the Jackson Boulevard extension is being requested.

The staff report from the meeting when the previous variances were granted is attached. Minutes from the previous meeting when this case was discussed were also included in the packet.

The requested variance is listed in the following table.

| Variance \# | Ordinance <br> Section | Subject | Standard | Requested Variance | Result |
| :---: | :---: | :---: | :---: | :---: | :---: |
| 1 | Article 3.1.5.E | Front yard <br> setback | 35 feet | 22 feet (west) | 13 feet (west) |

## Zoning Board of Appeals Options:

Approval: I move to approve the variance requested by James Kovach from Article 3.1.5.E of the Zoning Ordinance for Parcel Number 12-07-158-013, identified as 3700 Jackson Boulevard, in order to construct a new house that would encroach 22 feet into the required west front yard setback. 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 variance requested by James Kovach for Parcel Number 12-07-158-013, identified as 3700 Jackson Boulevard, due to the following reason(s):

Table: I move to table the variance request of James Kovach for Parcel Number 12-07-158-013, identified as 3700 Jackson Boulevard, to consider comments stated during this public hearing.

## Attachments:

1. Variance application dated February 24, 2021.
2. Site plan.
3. Floor plans and elevations dated April 1, 2021.
4. Staff report dated March 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 

applicant's name: James Kovach_ Phone (248)770-8955
ADDRESS: 3000 ACKSON Plus White Lake 48383 APPLICANT'S EMAILADDRESS: jumaKOUACH LC. ne APPLICANTS INTEREST IN PROPERTY: $\square$ OWNER $\square$ BUILDER $\square$ OTHER: $\qquad$

ADDRESS OF AFFECTED PROPERTY: 3700 JackSOn RIVD PARCEL \#12-07-158-013 CURRENT ZONING:R-1C PARCEL SIZE: 12,000 sf St -

STATE REQUESTED VARIANCE AND ORDINANCE SECTION: $\qquad$

VALUE OF IMPROVEMENT: \$ $\qquad$ SEV OF EXISTING STRUCTURE: $\$ 139,680$

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

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



THE
KOVACH HOUSE
3100 JACKSON BLVD., WHITE LAKE


## PRELIMINARY PLAN

CONSTRUCTION

20200804


## WHITE LAKE TOWNSHIP ZONING BOARD OF APPEALS

## REPORT OF THE COMMUNITY DEVELOPMENT DEPARTMENT

TO: Zoning Board of Appeals

FROM: Justin Quagliata, Staff Planner
DATE: March 25, 2021

Agenda item: 6c

Appeal Date: March 25, 2021

Applicant: James Kovach

Address: $\quad 3700$ Jackson Boulevard
White Lake, MI 48386

Zoning: $\quad$ R1-C Single Family Residential

Location: 3700 Jackson Boulevard
White Lake, MI 48386

## Property Description

The approximately 0.251 -acre ( $10,933.56$ square feet) parcel identified as 3700 Jackson Boulevard is located on White Lake and zoned R1-C (Single Family Residential). The existing house on the property (approximately 1,129 square feet in size) utilizes a private well for potable water and a private septic system for sanitation.

## Applicant's Proposal

James Kovach, the applicant, is proposing to demolish the existing house and construct a new house.

## Planner's Report

The existing house was built in 1920 and is nonconforming because it is located two feet from the east (side) lot line. A minimum 10 -foot side yard setback is required in the R1C zoning district. The parcel is also nonconforming due to a $5,066.44$ square foot deficiency in lot area and a 53.21-foot deficiency in lot width ( 46.79 feet in width at the front lot line); in the R1-C zoning district the minimum lot size requirement is 16,000 square feet and the minimum lot width requirement is 100 feet.

The applicant is proposing to demolish the existing house to construct an approximately 3,053 square foot (plus bonus room over garage) two-story house with an attached twocar garage. The proposed house would be located 6 feet from the east and west property lines. A four-foot variance is being requested to encroach into the east and west side yard setbacks. However, the proposed roof overhang ( $1^{\prime}-8^{\prime \prime}$ ) is within five feet ( 4.33 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.

The requested variances are listed in the following table.

| Variance \# | Ordinance <br> Section | Subject | Standard | Requested Variance | Result |
| :---: | :---: | :---: | :---: | :---: | :---: |
| 1 | Article 3.1.5.E | Side yard <br> setback | 10 feet | 4 feet (east and west) | 6 feet (east and <br> west) |
| 2 | Article 3.1.5.E | Minimum lot <br> size | 16,000 <br> square feet | $5,066.44$ square feet | $10,933.56$ <br> square feet |
| 3 | Article 3.1.5.E | Minimum lot <br> width | 100 feet | 53.21 feet | 46.79 feet |

## Zoning Board of Appeals Options:

Approval: I move to approve the variances requested by James Kovach from Article 3.1.5.E of the Zoning Ordinance for Parcel Number 12-07-158-013, identified as 3700 Jackson Boulevard, in order to construct a new house that would encroach four feet into the required east and west side yard setbacks. A 53.21-foot variance from the required lot width and $5,066.44$ square foot variance from the required lot size are also granted from Article 3.1.5.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 east and west side lot lines.
- An as-built survey shall be required to verify the roof overhang setback from the east and west side lot lines.

Denial: I move to deny the variances requested by James Kovach for Parcel Number 12-07-158-013, identified as 3700 Jackson Boulevard, due to the following reason(s):

Table: I move to table the variance requests of James Kovach for Parcel Number 12-07-158-013, identified as 3700 Jackson Boulevard, to consider comments stated during this public hearing.

## Attachments:

1. Variance application dated February 24, 2021.
2. Site plan.
3. Floor plans and elevations dated November 24, 2020.
4. Letter of denial from the Building Department dated February 24, 2021.

THE
KOVACH HOUSE 3700 JACKSON BLVD., WHITE LAKE



## WHITE LAKE TOWNSHIP ZONING BOARD OF APPEALS

## REPORT OF THE COMMUNITY DEVELOPMENT DEPARTMENT

TO: Zoning Board of Appeals

FROM: Justin Quagliata, Staff Planner
DATE: April 22, 2021

Agenda item: 6b

Appeal Date: $\quad$ April 22, 2021

Applicant: David Nellist

Address: 301 South Silvery Lane
Dearborn, MI 48124

Zoning: R1-D Single Family Residential

Location: 10697 Castlewood Drive
White Lake, MI 48386

## Property Description

The approximately 0.23 -acre ( 10,000 square feet) parcel identified as 10697 Castlewood Drive is located on Sugden Lake and zoned R1-D (Single Family Residential).

## Applicant's Proposal

David Nellist, the applicant, is proposing to construct a new house on an undeveloped parcel.

## Planner's Report

On October 15, 2020 the Zoning Board of Appeals approved variance requests from the applicant to construct the house. Variances are valid for a period of six months from the date of approval, unless a building permit is obtained within such period and the work associated with the variance is started and proceeds to completion in accordance with the terms of the building permits. The applicant did not obtain a building permit within six months of approval the variances expired and are void. The following variances were previously granted:

- 4.5-foot variance from the east side yard setback
- 20-foot variance from the natural features setback (west side yard)
- 14-foot variance from the required lot width
- 2,000 square foot variance from the required lot size

The request has changed since the original approval. The proposed accessory building was shifted north and is located $3^{\prime}-2 \frac{1}{4}$ " from the front property line, requiring a variance of $26^{\prime}-9^{3} / 4^{\prime \prime}$ from the 30 -foot front yard setback. This variance was not published, as staff was initially informed there was no change between the prior proposal and current request. The previous plan showed the accessory building meeting the front yard setback, with a carport not legible on the plan nonconforming at $2^{\prime}-6^{3 / 4}$ " from the front property line.

The revised plan shows the roof overhang located five feet from the east side line and 6'$61 / 2 "$ from the west side line (seawall). The wall of the house is located $7^{\prime}-1^{3 / 4}$ " from the east side lot line, so the applicant is requesting a three-foot variance ( 1.5 feet less than previously requested). The 5 -foot canal side yard setback is consistent with the previous approval. The deck steps are located $5^{\prime}-1 / 1 / 2$ ' from the seawall.

Article 3, Section 11.Q of the zoning ordinance states no building or structure shall be located closer than 25 feet to any regulated wetland, submerged land, watercourse, pond, stream, lake or like body of water. The proposed house would be located $11^{\prime}-1 \frac{1}{2} / \prime$ from the edge of the Sugden Lake canal to the west, and the proposed rear deck would be located 5 feet from the water's edge; therefore, a 20 -foot variance is being requested to encroach into the water features setback. Additionally, the proposed accessory structure is also located $23^{\prime}-0^{1 / 4 \prime \prime}$ feet from the canal to the west.

The requested variances are listed in the following table.

| Variance \# | Ordinance <br> Section | Subject | Standard | Requested <br> Variance | Result |
| :---: | :---: | :---: | :---: | :---: | :---: |
| 1 | Article 3.1.6.E | Side yard setback | 10 feet | 3 feet (east) | 7 feet |
| 2 | Article 3.11.Q | Natural features <br> setback | 25 feet | 20 feet (west) | 5 feet |

## Zoning Board of Appeals Options:

Approval: I move to approve the variances requested by David Nellist from Articles 3.1.6.E and 3.11.Q of the Zoning Ordinance for Parcel Number 12-34-151-004, identified as 10697 Castlewood Drive, in order to construct a new house that would encroach 20 feet into the required water features setback and 3 feet into the required east side yard setback. 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 David Nellist for Parcel Number 12-34-151-004, identified as 10697 Castlewood Drive, due to the following reason(s):

Table: I move to table the variance requests of David Nellist for Parcel Number 12-34-151-004, identified as 10697 Castlewood Drive, to consider comments stated during this public hearing.

## Attachments:

1. Variance application received March 25, 2021.
2. Applicant's written statement dated August 26, 2020.
3. Soils Investigation dated January 22, 2021.
4. Boundary and topographic survey dated December 23, 2020.
5. Site plan dated April 15, 2020, and received by the Township on April 15, 2021.
6. Coversheet, exterior elevations, floor plans, longitudinal sections, and transverse \& wall sections dated March 24, 2021.
7. Site plan, exterior elevations, and floor plans dated August 6, 2020.
8. Letter of denial from the Building Department dated August 11, 2020.

### 7.37 STANDARDS

General variances: The Zoning Board of Appeals may authorize a variance from the strict application of the area or dimensional standard of this Ordinance when the applicant demonstrates all of the following conditions "A - E" or condition F applies.
A. Practical difficulty: A practical difficulty exists on the subject site (such as exceptional narrowness, shallowness, shape or area; presence of floodplain; exceptional topographic conditions) and strict compliance with the zoning ordinance standards would unreasonably prevent the owner from using of the subject site for a permitted use or would render conformity unnecessarily burdensome. Demonstration of a practical difficulty shall have a bearing on the subject site or use of the subject site, and not to the applicant personally. Economic hardship or optimum profit potential are not considerations for practical difficulty.
B. Unique situation: The demonstrated practical difficult results from exceptional or extraordinary circumstances or conditions applying to the subject site at the time the Ordinance was adopted or amended which are different than typical properties in the same zoning district or the vicinity.
C. Not self created: The applicants problem is not self created.
D. Substantial justice: The variance would provide substantial justice by granting the property rights similar to those enjoyed by the majority of other properties in the vicinity, and other properties in the same zoning district. The decision shall not bestow upon the property special development rights not enjoyed by other properties in the same district, or which might result in substantial adverse impacts on properties in the vicinity (such as the supply of light and air, significant increases in traffic, increased odors, an increase in the danger of fire, or other activities which may endanger the public safety, comfort, morals or welfare).
E. Minimum variance necessary: The variance shall be the minimum necessary to grant relief created by the practical difficulty.
F. Compliance with other laws: The variance is the minimum necessary to comply with state or federal laws, including but not necessarily limited to:
i. The Michigan Right to Farm Act (P.A. 93 of 1981) and the farming activities the Act protects;
ii. The Americans with Disabilities Act of 1990 (as amended), and the needs of handicapped individuals the Act protects, including accessory facilities, building additions, building alterations, and site improvements which may not otherwise meet a strict application of the standards of this Ordinance.

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

# CHARTER TOWNSHIP OF WHITE LAKE Zoning Board of Appeals APPLICATION 

White Lake Township Planning Department, 7525 Highland Road, White Lake, MI 48383 248-698-3300 $\times 163$



STATE REQUESTED VARIANCE AND ORDINANCE SECTION: $\qquad$
ARTICLE 3.11.Q - REQUESTING VARIANCE TO BUILD WITHIN 25' OF WATER'S EDGE ARTICLE 3.1.6-REQUESTING VARIANCE TO BUILD ON A LOT LESS THAN 80' WIDE ARTICLE 3.1.6-REQUESTING VARIANCE IN SIDE YARD SETBACK ON EAST SIDE
$\qquad$ SEE ATTACHED SHEETS
$\qquad$
$\qquad$
$\qquad$
$\qquad$
$\qquad$

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

APPLICANT'S SIGNATURE:
DATE: $\qquad$

## Article 3.11.Q

No building shall be located closer than 25 feet to any regulated wetland, submerged land, watercourse, pond, stream, lake or like body of water. The setback shall be measured from the edge of the established wetland boundary as reviewed and approved by the Township

The property, 10697 Castlewood Drive, is adjacent to water on 2 sides: Sugden Lake to the south, and a shallow dead-end channel from Sugden Lake to the West. The channel borders almost the entire length of what is an already narrow lot which is a unique circumstance of this property (fig. 3 ). Once the $\mathbf{2 5}$-foot natural features setback is applied from the water's edge on the West side of the lot, the remaining buildable area width varies between approximately 12 feet and 23 feet (fig. 1). This extremely narrow width presents a practical difficulty for building a single-family home on the lot, preventing it from reasonably being used for its designated R1-D zoning (fig. 2).


Fig. 1: Remaining buildable area is too narrow, presenting a practical difficulty that prevents the lot from being reasonably used for designated R1-D uses


Fig. 2: Proposed single family residence and site improvement footprints.

The channel is not a public part of Sugden lake, but is located on vacant property zoned AG, with part of the channel crossing over into the lot of 10697 Castlewood (fig. 4).


Fig. 3: The lot at 10697 Castlewood Drive is narrow and bordered by water on 2 sides: unique circumstances of the property

Established and already developed lots around the north, east, and south of Sugden lake are similarly narrow in their width to the subject property

## Article 3.1.6

Requires a minimum lot width of 80 feet.
The property at 10697 Castlewood has a lot width varying between 66 feet at the north end and 39.5 feet at the south end. The established lot widths of adjacent properties around the north, east, and south of Sugden Lake are similarly narrow in their width and are also zoned R1-D (fig. 3 and 4). A variance for this lot would be consistent with justice to similar adjacent lots.

## Article 3.1.6

Requires a minimum side yard setback of 10 feet.
By reducing the setback to the property line on the east, the proposed residence balances the concerns of the sideyard setback on this side with a reasonable setback from the water's edge to the west. The established properties around the north, east, and south of Sugden Lake appear to have similar variances in their side and rear yard setbacks and are also zoned R1-D (fig. 4). A variance for this lot would be consistent with justice to similar adjacent lots.


Fig. 4: Lot widths at ROW of adjacent R1-D properties on the north and east side of Sugden lake with existing residences. Many are less than 80 feet and appear to setback variances.

## RECEIVED

SEP 172020
COMMUNITY DEVELOPMENT DEPARTMENT

# McDowell \& Associates <br> Geotechnical, Environmental \& Hydrogeological Services • Materiais Testing \& Inspection 

21355 Hatcher Avenue - Ferndale, MI 48220
Phone: (248) 399-2066 • Fax: (248) 399. 2157
www.mcdowasc.com

January 22, 2021
Mr. James Nellist
1022 Lake Grove Avenue SE
Grand Rapids, Michigan 49506
Job No. 20-319
Subject: Soils Investigation
Proposed House
10697 Castlewood Drive
White Lake Township, Michigan
Dear Mr. Nellist:
In accordance with your request, we have performed a Soils Investigation at the subject project.
Two (2) Soil Test Borings, designated as 1 and 2, were performed in the planned house area. The approximate locations of the borings are shown on the Soil Boring Location Plan which accompanies this report. The borings were drilled with our all-terrain track-mounted drill rig and were advanced to depths of forty feet six inches ( $40^{\prime} 6^{\prime \prime}$ ) and forty-five feet six inches ( $45^{\prime} 6^{\prime \prime}$ ) below the existing ground surface at the boring locations.

Soil descriptions, groundwater observations and the results of field and laboratory tests are to be found on the accompanying Logs of Soil Test Borings and summary sheet of Sieve Analysis results.

The borings encountered two feet ( $2^{\prime}$ ) and two feet four inches ( $2^{\prime} 4^{\prime \prime}$ ) of fill soils consisting of topsoil and slightly compact discolored brown fine sand, seventeen feet four inches ( $17^{\prime} 4^{\prime \prime}$ ) and twenty-five feet six inches ( $25^{\prime} 6^{\prime \prime}$ ) of extremely soft to soft highly organic peat and marl soils, followed by firm brown silty clay and slightly compact to very compact brown to gray silty fine sand to gravelly sand, which were found throughout the remainder of the borings.

Soil descriptions and depths shown on the boring logs are approximate indications of change from one soil type to another and are not intended to represent an area of exact geological change or stratification. Also, the site shows signs of modification which could indicate fill and soil conditions different from those encountered at the boring locations.

Water was encountered in the borings at depths of one foot two inches ( $1^{\prime} 2^{\prime \prime}$ ) and five feet five inches ( $5^{\prime} 5^{\prime \prime}$ ) below the existing ground surface. Water was measured upon completion of the drilling operation in the borings at depths of four feet five inches ( $4^{\prime} 5^{\prime \prime}$ ) and four feet eight inches ( $4^{\prime} 8^{\prime \prime}$ ). It should be noted that the short-term groundwater observations may not provide a reliable indication of the depth of the water table. In clay and highly organic soils, this is due to the slow rate of infiltration of water into the borehole as well as the potential for water to become trapped in overlying layers of granular soils during periods of heavy rainfall. Water levels in granular soils fluctuate with seasonal and climatic changes, with the amount of rainfall in the area immediately prior to the measurements, as well as the fluctuation in the water level of nearby Sugden Lake.

Standard Penetration Tests made during sampling indicate that the fill soils and underlying peat and marl soils down to depths of about nineteen feet ( $19^{\prime}$ ) and twenty-eight feet ( $28^{\prime}$ ) have very poor strengths and densities with test results ranging from the weight of the hammer causing the sampler to sink eighteen inches ( 18 ") to 3 blows per foot. Tests taken in the deeper soils gave results ranging from 2 to 20 blows per foot.

It is understood that a one- to two-story house with a crawl space and a detached garage will be constructed at the site. It is assumed that the new structures will transmit relatively light loads to the supporting soils. An existing house is located nearby. It is not known if a sheet pile seawall exists along the lake shoreline.

Due to the relatively shallow groundwater table, significantly deep organic and poor strength lake deposits and deeper water-bearing native granular soils at the site, it appears that the excavation and construction of conventional spread or strip footings would be extremely difficult even with special dewatering techniques. It is suggested that deep foundations be utilized to support the proposed structure. These could likely consist of driven piles, auger cast piles or helical piles. If the nearby existing house is not supported on piling or utilities are located nearby, then we have a major concern that vibrations from pile driving could cause damage to these structures and utilities. Auger cast piles or helical piles would produce less vibration concerns.

If you elect to support the new structure on driven pile foundations, then it is anticipated that a typical Class B wood pile would realize the following approximate allowable supporting capacities per foot of penetration:


Based on the above chart, it is anticipated that a timber pile could develop an allowable carrying capacity of only about 10 tons when driven to a depth of about forty-four feet (44') at the location of Boring 1. It would appear that only about 8 tons would be available for a timber pile driven to the full depth of forty feet ( $40^{\prime}$ ) at Boring 2. Steel pipe or " H " piles tend to drive longer than timber piles, typically on the order of $10 \%$ to $20 \%$. Actual pile capacities must be evaluated in the field either through the use of a dynamic pile driving formula or static load test. If the existing fill soils have been in place for less than about 15 years or additional fill is planned to raise the site, then it is suggested that a negative friction value of about two (2) tons be used, thus reducing the allowable carrying capacities available for the piles. We do not recommend placing additional soil at the site as discussed later. It should be understood that vibrations during pile driving could damage nearby structures or utilities if they are not pile supported. This should be discussed with the pile driving contractor.

Additional deep foundation systems could consist of auger cast piles, or helical-type piles. We understand that manufacturers and contractors who use helical piles have qualified engineering staffs who do length/capacity evaluation. Hardman Construction out of Ludington, Michigan installs auger cast piles. Kent Companies and Calculus Foundations install helical piles. As noted earlier, we would anticipate that installation of auger cast piles or helical-type piles would produce less vibration concerns. We have a concern that helical piles could buckle in the very soft soils found in the borings. A larger shaft diameter will probably be needed to minimize this buckling concern if helical piles are used.

Water was encountered in the borings below depths of one foot two inches ( $1^{\prime} 2^{\prime \prime}$ ) and five feet five inches ( $5^{\prime} 5^{\prime \prime}$ ). It is desirable for the crawl space to be kept above the long-term groundwater level in granular soils or the flood level of nearby Sugden Lake. If you wish to have a relatively dry crawl space, then the crawl space area should be provided with an adequate drainage system to protect the floors and walls from the possible effect of hydrostatic pressure. The drainage system should be designed and installed to minimize the potential for soil fines to erode into the underdrainage system.

If the crawl space is constructed in close proximity to the long-term groundwater level in granular soils, then it is suggested that a fairly elaborate drainage system be provided. We suggest the following:

1. A minimum of six inches ( $6^{\prime \prime}$ ) of free-draining material should be placed below the floor. This could be MDOT 2NS sand, but preferably would be a coarser material like pea stone. With a coarser material, a filter fabric should be placed over any on-site silt and fine sand soils.
2. A good moisture barrier should be placed above the free-draining granular material.
3. Exterior and interior footing four-inch (4") diameter drain tile should be installed with a drain tile under the floor on about twenty-foot ( $20^{\prime}$ ) centers. The interior and exterior should be separate systems. If these systems drain to a sump pit, there exists a possibility that during a power failure the basement could flood, and a back-up system should be provided.
4. If corrugated plastic drain tile with one-sixteenth inch $\left(1 / 16^{\prime \prime}\right)$ slot openings is used, it should be surrounded with a minimum of five inches (5") of 2NS sand. If there is any question relative to the size of openings or the proper placement of the filter sand, a filter sock should be provided. If a coarse material like pea stone is used, it should be separated from any silt and fine sand by a filter fabric. If the outside tile is set in a coarse material like pea stone that is separated from any on-site silt and fine sand by a filter fabric, no additional filter media is required as long as the openings in the drain tile are compatible with the filter media.

Slab-on-grade floor slabs, garage floor and porches should be designed as structural slabs supported on the deep foundations.

We have concerns that placing additional fill at the site could cause mass instability of the site soils, allowing them to move towards and into the nearby lake. The house and garage structures should be located a sufficient distance away from any existing seawalls not to damage their deadmen systems.

Experience indicates that the actual subsoil conditions at the site could vary from those found at the two (2) test borings made at specific locations. It is, therefore, essential that McDowell \& Associates be notified of any variation of soil conditions to determine their effects on the recommendations presented in this report. The elevations and recommendations presented in this report have been formulated on the basis of reported or assumed data relating to the proposed project. Any significant change in this data in the final design plans should be brought to our attention for review and evaluation with respect to the prevailing subsoil conditions.

It is recommended that the services of McDowell \& Associates be engaged to monitor the pile driving formula to estimate the field load capacity of the piles using a dynamic pile driving formula. Inspection and testing should also be performed to check that suitable materials are being used for controlled fills and that they are properly placed and compacted.

If we can be of any further service, please feel free to call.
Very truly yours,


DAK/ks





Job No. 20-319

## SIEVE ANALYSIS

| Boring | Sample | \% Passing <br> \#4 Sieve | \% Passing <br> \#10 Sieve | \% Passing <br> \#40 Sieve | \% Passing <br> \#100 Sieve | \% Passing <br> \#200 Sieve |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| 2 | I | 100.0 | 100.0 | 99.8 | 77.4 | 13.7 |
| 2 | H | 100.0 | 99.4 | 97.5 | 36.4 | 7.2 |


$\frac{\text { Sor Boring Locnyoulcin }}{\nexists 20-319}$












# WHITE LAKE TOWNSHIP <br> 7525 Highland Road . White Lake, Michigan 48383-2900 - (248) 698-3300 • www, whitelaketwp.com 

August 11, 2020

David Nellist
301 S. Silvery Ln.
Dearborn, MI 48124
RE: Proposed Residential Structure and Accessory Structure at 10697 Castlewood St.
Based on the submitted plans, the proposed residential structure and accessory structure do not satisfy the White Lake Township Clear Zoning Ordinance for setbacks and lot width.

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

The proposed residential structure would have a side yard setback of approximately 10 feet and the proposed accessory structure would have a side yard setback of approximately 8 feet from the nearest water's edge.

Article 3.1.6 of the White Lake Township Clear Zoning Ordinance: Requires a minimum lot width of 80 ft .

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

Sincerely,


Nick Spencer, Building Official
White Lake Township

## WHITE LAKE TOWNSHIP ZONING BOARD OF APPEALS

## REPORT OF THE COMMUNITY DEVELOPMENT DEPARTMENT

TO: Zoning Board of Appeals
FROM: Justin Quagliata, Staff Planner
DATE: April 22, 2021

Agenda item: 6c

Appeal Date: $\quad$ April 22, 2021

Applicant: Rob Pope

Address: 75 Jesswood Lane
White Lake, MI 48386

Zoning: LB Local Business

Location: 7755 Highland Road
White Lake, MI 48383

## Property Description

The approximately 1.439 -acre parcel identified as 7755 Highland Road is located on the north side of Highland Road, east of Porter Road, and zoned LB (Local Business).

## Applicant's Proposal

Rob Pope, the applicant, is proposing to install a 40 square foot monument sign with a two-foot setback from the Highland Road right-of-way line.

## Planner's Report

In accordance with Article 5, Section 9.J.i.a, freestanding signs shall be setback a minimum of ten (10) feet from the existing right-of-way. For sign size, Article 5, Section 9.J.i.b states the sign area of a freestanding sign is dependent upon the sign's setback from the existing right-of-way and the zoning district within which the sign is proposed. For LB zoning, freestanding signs are permitted two (2) square feet for each one (1) foot of setback, up to a maximum of 32 square feet.

The requested variance is listed in the following table.

| Variance \# | Ordinance <br> Section | Subject | Standard | Requested Variance | Result |
| :---: | :---: | :---: | :---: | :---: | :---: |
| 1 | Article 5.9.J.i.a | Sign setback | 10 feet min. | 18 feet <br> (40 square foot sign) | 2 feet |
| 2 | Article 5.9.J.i.b | Maximum size <br> of signs | 32 square feet <br> max. | 36 square feet <br> (2-foot setback) | 40 square feet |

## Zoning Board of Appeals Options:

Approval: I move to approve the variances requested by Rob Pope from Article 5.9.J.i.a and 5.9.J.i.b of the Zoning Ordinance for Parcel Number 12-21-276-003, identified as 7755 Highland Road, in order to install a 40 square foot monument sign with a two-foot setback from the Highland Road right-of-way line. 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 Rob Pope for Parcel Number 12-21-276-023, identified as 7755 Highland Road, due to the following reason(s):

Table: I move to table the variance requests of Rob Pope for Parcel Number 12-21-276-023, identified as 7755 Highland Road, to consider comments stated during this public hearing.

## Attachments:

1. Variance application dated March 22, 2021.
2. Applicant's written statement dated March 22, 2021.
3. Sign plan dated March 10, 2021.
4. Site plan.

### 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 <br> Zoning Board of Appeals APPLICATION <br> White Lake Township Planning Department, 7525 Highland Road, White Lake, MI 48383 248-698-3300 $\times 163$ 

APPLICANT'S NAME: Rob Pope
PHONE: 248-770-3828

ADDRESS: 75 Jesswood Lane, White Lake, MI 4.8386
APPLICANT'S EMAILADDRESS: rob.pope@comcast.net
APPLICANT'S INTEREST IN PROPERTY: 睜OWNER $\square$ BUILDER $\square$ OTHER: $\qquad$


ADDRESS OF AFFECTED PROPERTY: 7755 Highland Road PARCEL \# 12-21-276-02
CURRENT ZONING:Local Business
PARCEL SIZE: 1.5 Acres
STATE REQUESTED VARIANCE AND ORDINANCE SECTION: $5-9 \mathrm{JJ}$

STATE REASONS TO SUPPORT REQUEST: (ADDITIONALS SHEETS MAY BE ATTACHED) 1) Install a monument lighted sign withing the setback from the road right of way, exceeding allowed size.
2) Parking Lot/Cross Traffice concerns of damage


DATE: March 22, 2021
TO: White Lake Township ZBA

RE: Centerpointe Plaza Monument Sign
RSI is applying for a variance to the MDOT ROW setback rules for the purpose of constructing a monument sign. The proposed location for the sign and only location possible for the sign as designated in the drawings is within 10 ft . of the existing, "right of way".

We are asking for a variance to allow our sign to be placed just North of the ROW. Our underground poured base would be 2 " North of the ROW and the actual sign would be 42 ft 7 " from the curb of M59. This actual back lit LED sign is $10 \mathrm{ft} \times 4 \mathrm{ft}$.

This sign and location is consistent with local existing business signs such as AutoZone, Copperfield, White Lake Township, Campbell DDS, Arby's and other newer monument signage in the area.

The unique circumstances of this property allow for one particular area for sign placement.

Due to the location of underground utilities such as grinder pump and sewer easements this is the only area for placement of the sign.



[^0]

## WHITE LAKE TOWNSHIP ZONING BOARD OF APPEALS

## REPORT OF THE COMMUNITY DEVELOPMENT DEPARTMENT

TO: Zoning Board of Appeals
FROM: Justin Quagliata, Staff Planner
DATE: April 22, 2021

Agenda item: 6d

Appeal Date: $\quad$ April 22, 2021

Appellant: $\quad$ Gary Schultz - VFW
$\begin{array}{ll}\text { Address: } & 635 \text { Andrews Street } \\ & \text { Commerce, MI } 48382\end{array}$

Zoning: AG Agricultural

Location: 321 Union Lake Road
White Lake, MI 48386

## Property Description

The approximately 8 -acre parcel identified as 321 Union Lake Road is located on the north side of Union Lake Road, east of Farnsworth Road, and zoned AG (Agricultural).

## Appellant's Proposal

Gary Schultz, the appellant, on behalf of property owner Veterans of Foreign Wars (VFW), is appealing a decision of the Staff Planner to deny a sign permit application to install an electronic message board sign in a residential zoning district. The appellant is also requesting variances for the size and number of signs permissible to install a 6 -foottall, 32 square foot electronic message board sign.

## Planner's Report

The VFW is currently a legal nonconforming non-residential use in a residential zoning district. Pursuant to Article 5, Section 9.I.iii of the zoning ordinance (Signs - Residential District Regulations - Permitted non-residential uses), for monument signs, the maximum size cannot exceed 16 square feet in area and the maximum height cannot exceed six (6) feet. Additionally, only one (1) wall sign or one (1) monument sign may be allowed. The VFW currently has two (2) wall signs on the front of the building, and a temporary freestanding sign in addition to the permanent pylon sign. A variance to allow a fourth sign is requested, and a 16 square foot variance is also requested for the size of the sign.

Monument signs are required to meet the front yard setback in residential zoning districts, except for the one (1) monument sign maintained at or adjacent to the principal entrance of a subdivision/residential development. The AG zoning district requires a 35 -foot front yard setback. The provided site plan, which was not drawn to scale, shows the sign with a 22 -foot setback from an "easement." Staff assumes this is referring to the road right-ofway (ROW). A GIS measurement shows the existing pylon sign located approximately 32 feet from the ROW line. A revised plan drawn to scale confirming the proposed sign meets the front yard setback will be required if the ZBA approves the request.

Article 5, Section 9.J.vii of the zoning ordinance states electronic message display signs are only permitted as accessory to a use in nonresidential zoning districts. Based on the sign ordinance, staff determined the proposed electronic message center is not an allowed use in a residential zoning district.

In its determination of the appeal, the decision shall be made by a concurring vote of a majority of the members of the Zoning Board of Appeals. The Zoning Board of Appeals may take, but is not limited to, any of the following actions:

1. Affirm the decision of the Staff Planner with or without modification.
2. Reverse the decision of the Staff Planner and state its reason therefor.
3. Modify the decision of the Staff Planner.

The requested variances are listed in the following table.

| Variance \# | Ordinance <br> Section | Subject | Standard | Requested <br> Variance | Result |
| :---: | :---: | :---: | :---: | :---: | :---: |
| 1 | Article 5.9.I.iii | Maximum <br> number of signs | 1 sign | 1 sign | 3 signs <br> $(2$ existing $)$ |
| 2 | Article 5.9.I.iii | Maximum size of <br> signs (monument) | 16 square <br> feet | 16 square feet | 32 square feet |

## Zoning Board of Appeals Options:

Approval: I move to reverse the decision of the Staff Planner to allow an electronic message board sign and approve the variances requested by Gary Schultz (VFW) from Article 5.9.I.iii of the Zoning Ordinance for Parcel Number 12-26-276-001, identified as 321 Union Lake Road, in order to install a fourth sign where only one sign is permitted. A 16 square foot variance is granted to install the monument sign. This approval will have the following conditions:

- The Applicant shall obtain all necessary permits from the White Lake Township Building Department.
- The monument sign shall meet the required front yard setback. Prior to construction a plan drawn to scale showing the setback dimension from the Union Lake Road right-of-way shall be required.
- The existing pylon sign and temporary freestanding sign shall be removed from the property.
- No additional signage shall be permitted on the building or site.
- Any future modification to signage on the building or site, except for eliminating signage, shall require approval of the Zoning Board of Appeals.

Denial: I move to affirm the decision of the Staff Planner and deny the variances requested by Gary Schultz (VFW) for Parcel Number 12-26-276-001, identified as 321 Union Lake Road, due to the following reason(s):

Table: I move to table the appeal and variance requests of Gary Schultz (VFW) for Parcel Number 12-26-276-001, identified as 321 Union Lake Road, to consider comments stated during this public hearing.

## Attachments:

1. Variance application dated April 9, 2021, received by the Township on March 25, 2021.
2. Sign plan.
3. Site plan.
4. Letter of denial from the Planning Department dated March 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 <br> Zoning Board of Appeals <br> APPLICATION 

White Lake Township Planning Department, 7525 Highland Road, White Lake, MI 48383 248-698-3300 $\times 163$

APPLICANT'S NAME: Gary Schultz PHONE: 248 613-2832

ADDRESS: 635 Andrews St, Commerce
APPLICANT'S EMAILADDRESS: gschultz635@gmail.com
APPLICANT'S INTEREST IN PROPERTY: $\square$ OWNER $\square$ BUILDER $\square$ OTHER: Post Commander

ADDRESS OF AFFECTED PROPERTY: 321 Union Lake Rd
PARCEL \# $12-26-276-\infty 1$

CURRENT ZONING: Agriculture
PARCEL SIZE: 7 Acres
-

STATE REQUESTED VARIANCE AND ORDINANCE SECTION: $\qquad$

VALUE OF IMPROVEMENT: \$ $\qquad$ SEV OF EXISITING STRUCTURE: $\$$

STATE REASONS TO SUPPORT REQUEST: (ADDITIONALS SHEETS MAY BE ATTACHED)
To increase community awareness of fundraisers supporting VFW supported programs.
To promote and increase community participation in community events such as our Drug and Safety Day.
To make the Public more aware that they are welcome to facilities, to many times many have stated that the didn't realize when we posted on our "static sign", Easter Egg Hunts, Cruise Nites, St Patrick Day, Spaghetti Dinners, Thanksgiving Dinners, Breakfast with Santa, etc. that the "Public" is welcome also. Also to recuite new VFW and Auxilary Members
$\qquad$ (CALCULATED BY THE PLANNING DEPARTMENT)
$\qquad$ DATE: $\qquad$ 21

# VFW Oxbow Post 4156 <br> 248 698-8302 <br> 248 613-2832 Cell 

To: White Lake Township Board
RE: Application Waiver
Oxbow Post 4156 Veterans of Foreign Wars of the United States
321 Union Lake Rd

Kindly request the Application fee for an EMB (Electronic Messaging Board) be waived or any part of the $\$ 192.50$ still remaining be waived.

This request is from an organization that is a nonprofit (501c19). And this Post is entirely staffed by non-paid volunteers.

Thank you for your time and consideration on this matter.
Jasm Scher
Gary Schultz, Commander
VFW Post 4156
248 698-8302
248 613-2832 (cell)

RECEIVED


CONTACT
GARY Schultz
$248613-2832$


Vtuper 1156
${ }^{\prime 2} 21$ UH1OHHLKKM WH1TE 女 WE 18382
union LAKE RD

$\leq 1 D E N A b k$



# WHITE LAKE TOWNSHIP 

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

March 25, 2021

Veterans of Foreign Wars
ATTN: Gary Schultz
321 Union Lake Road
White Lake, MI 48386
Dear Mr. Schultz:
I have completed my review of the VFW Post 4156 sign permit application, received by the Township on November 16, 2020. The request was to install a 6 -foot-tall, 32 square foot electronic message board sign at 321 Union Lake Road. The property is zoned AG (Agricultural). Pursuant to Article 5, Section 9.I.iii of the zoning ordinance (Signs - Residential District Regulations - Permitted non-residential uses), for monument signs, the maximum size cannot exceed 16 square feet in area and the maximum height cannot exceed six (6) feet. Additionally, only one (1) wall sign or one (1) monument sign may be allowed. The VFW currently has two (2) wall signs on the front of the building, and a temporary freestanding sign in addition to the permanent pylon sign.

Further, Article 5, Section 9.J.vii of the zoning ordinance states electronic display signs are only permitted as accessory to a use in nonresidential zoning districts. Based on the sign ordinance, the proposed electronic message center is not an allowed use in a residential zoning district. Additionally, the Zoning Board of Appeals does not have the authority to grant a variance to allow a use not permissible under the terms of the zoning ordinance in the district involved, or any use expressly or by implication prohibited by the terms of the zoning ordinance in said district.

My decision to deny the sign permit application may appealed to the Zoning Board of Appeals. An appeal should be made within 45 days from the date of this letter. To be eligible for the April 22 Zoning Board of Appeals meeting, an application must be submitted to the Planning Department no later than March 25 at 4:30 p.m.

If you have any questions regarding this matter, please contact me at (248) 698-3300 ext. 177 or by email at justinq@whitelaketwp.com.


Justin Quagliata
Staff Planner

## WHITE LAKE TOWNSHIP ZONING BOARD OF APPEALS

## REPORT OF THE COMMUNITY DEVELOPMENT DEPARTMENT

TO: Zoning Board of Appeals

FROM: Justin Quagliata, Staff Planner
DATE: April 22, 2021

Agenda item: 6e

Appeal Date: April 22, 2021

Applicant: Ken \& Karen Pilarski

Address: $\quad 8315$ Cooley Beach Drive
White Lake, MI 48386

Zoning: R1-D Single Family Residential

Location: 8315 Cooley Beach Drive White Lake, MI 48386

## Property Description

The approximately 0.4 -acre ( 17,424 square feet) parcel identified as 8315 Cooley Beach Drive is located on Cooley Lake and zoned R1-D (Single Family Residential). The existing house on the property (approximately 920 square feet in size) utilizes a private well for potable water and a private septic system for sanitation.

## Applicant's Proposal

Ken and Karen Pilarski, the applicants, are proposing to construct an addition to the house. The applicant indicated the project includes remodeling the existing house.

## Planner's Report

Currently the existing house is nonconforming to setbacks; the structure is located 4.5 feet from the east side property line and 6.9 feet from the west side property line. A minimum 10 -foot side yard setback is required in the R1-D zoning district. The parcel is also nonconforming due to a 30 -foot deficiency in lot width. In the R1-D zoning district the minimum lot width requirement is 80 feet.

The proposed first floor addition is 345 square feet in size and located six (6) feet from the east side lot line and 7.3 feet from the west side lot line. The proposed covered porch is approximately 90 square feet in size. A 26.87 foot by 24 foot ( 644.88 square feet) twocar attached garage is proposed on the north side of the addition.

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 SEV of the structure ( $\$ 92,920$ ), the maximum extent of improvements cannot exceed $\$ 46,460$. The value of the proposed work is $\$ 380,000$. A variance to exceed the allowed value of improvements by $818 \%$ is requested.

The requested variances are listed in the following table.

| Variance \# | Ordinance <br> Section | Subject | Standard | Requested <br> Variance | Result |
| :---: | :---: | :---: | :---: | :---: | :---: |
| 1 | Article 3.1.6.E | Side yard <br> setback | 10 feet | 4 feet (east) <br> 2.7 feet (west) | 6 feet (east) <br> 7.3 feet (west) |
| 2 | Article 3.1.6.E | Minimum lot <br> width | 80 feet | 30 feet | 50 feet |
| 3 | Article 7.28.A | Nonconforming <br> structure | $50 \%$ SEV <br> $(\$ 46,460)$ | $818 \%$ | $\$ 333,540$ over <br> allowed <br> improvements |

## Zoning Board of Appeals Options:

> Approval: I move to approve the variances requested by Ken and Karen Pilarski from Article 3.1.6.E and Article 7.28.A of the Zoning Ordinance for Parcel Number 12-36-$452-016$, identified as 8315 Cooley Beach Drive, in order to construct an addition and attached garage that would encroach 4 feet into the required east side yard setback and 2.7 feet into the required west side yard setback, and exceed the allowed value of improvements to a nonconforming structure by $818 \%$. A 30 -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.

- An as-built survey shall be required to verify the roof overhang setback from the side lot lines.

Denial: I move to deny the variances requested by Ken and Karen Pilarski for Parcel Number 12-36-452-016, identified as 8315 Cooley Beach Drive, due to the following reason(s):

Table: I move to table the variance requests of Ken and Karen Pilarski for Parcel Number 12-36-452-016, identified as 8315 Cooley Beach Drive, to consider comments stated during this public hearing.

## Attachments:

1. Variance application dated March 24, 2021.
2. Topographic survey dated March 23, 2021.
3. Plot plan dated March 23, 2021 (revision date March 24, 2021)
4. Building elevations and floor plans dated October 29, 2020 (revision date March 26, 2021).
5. Letter of denial from the Building Department dated March 24, 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.

RECEIVED MAR $2^{5} 2021$
community
DEVELOPMENT
DEPARTMENT
CHARTER TOWNSHIP OF WHITE LAKE Zoning Board of Appeals

MAR 252021

White Lake Township Planning Department, 7525 Highland Road, White Lake, MI 48383 248-6988-3300 $\times 163$
мpucamrssmuse Pilarski, Bend Keven prone 248755 -6554
ADDRESS: $\qquad$ 8315 C
APPLICANT'S EMAILADDRESS: $\qquad$ mryardwork@aol.com
APPLICANT'S INTEREST IN PROPERTY: OWNER $\square$ BUILDER $\square$ OTHER: $\qquad$
address of affected property: 8315 Cooley Beach Dríparcel.\#12-36.452-016 CURRENT ZONING: $\qquad$ PARCEL SIZE: $\qquad$ 18000 sg. ft.

STATE REQUESTED VARIANCE AND ORDINANCE SECTION: $\qquad$

VALUE OF IMPROVEMENT: \$ $\qquad$ $380 K$ SUV OF EXISTING STRUCTURE: \$ $\qquad$ 151,790

STATE REASONS TO SUPPORT REQUEST: (ADDITIONALS SHEETS MAY BE ATTACHED), As we age, we need an atlached garage especially for safety Existing home layout is inefficient. Following given home lines makes sense on narrow take lot.
Homes are situated in staggered positions having
minimal impact on ad jacent properties. minimal impact on adjacent properties.

APPLICATION FEE: $\qquad$ 385 (CALCULATED BY THEEPLANNING DEPARTMENT)

APPLICANTS SIGNATURE:
 DATE:




typlcal stand detanl
|SCASEMENT TO FIRST FLOOR
教


S SECIIICATION


 and

## 5 2 2 4 4





${ }^{R}$

Men


Stairways and handralls
Ell

b


38




## HANDLING AND RRECTON SPECIIICATIONS

 2 2neme
 3.
 cole


SOII REQUREMENTS \& EARTH WORK AND CONCREII










Retail


and

fireplaces



EGRESS WINDow requirements
EGRESS WINDOW REQUIREMENTS



Areas that require safety glazing




Eand


 $\qquad$





 Nom















ATTIC ACCESS DETAlL

|  |  |
| :---: | :---: |
|  |  |
|  |  |
|  |  |
|  |  |
|  |  |
|  |  |
|  |  |
| SCALE:PER PLAN |  |
| SHEET \# <br> GN1 |  |
|  |  |


| TABLE R404.1.2(1) <br> Minimum horizontal reinforcement FOR CONCRETE BASEMENT WALLs ${ }^{\text {abb }}$ |  |
| :---: | :---: |
| $\begin{aligned} & \text { MAXIMUM UNSUPPORTED } \\ & \text { HEIGHT OF BASEMENT WALL } \\ & \text { (feet) } \end{aligned}$ | LOCATOO O F Horrowral enemer |
| $\leq 8$ |  |
| >8 |  |
| For sl: 1 inch $=25.4 \mathrm{~mm}, 1$ foot $=304.8 \mathrm{~mm}$, 1 pound per square inch $=6.895 \mathrm{kPa}$. |  |

## TABLE R404.1.2(8)



$\qquad$


| IABLE R602.10.6.4 TENSION STRAP CAPACITY FOR RESISTING WIND PREESURES PERPENDICULAR TOMETHODS PFH PFG AND CS-PF BRACED WALL PANELS |  |  |  |  |  |  |  |  |  |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| $\begin{aligned} & \text { MINIMUM WALL STUD } \\ & \text { FRAMING NOMINAL } \\ & \text { SIZE AND GRADE } \end{aligned}$ |  |  |  | TENSION STRAP CAPACITY REQUIRED (pounds) ${ }^{\text {ab }}$ Ultimate Design Wind Speed $\mathrm{V}_{\mathrm{utf}}(\mathrm{mph})$ |  |  |  |  |  |
|  |  |  |  | 10 | ${ }_{\text {Exposwe }}$ | 130 | 10 | ${ }_{\text {cosesur }}^{115}$ |  |
| $2 \times 4 \mathrm{No} 2.2$ Grade | 0 | 10 | 18 | 1.000 | 1.00 | 1.00 | 1.000 | 1.000 | 1.50 |
|  |  | ${ }^{10}$ |  | 1.000 | 1.000 | 1.00 | 1.000 | 1.000 | 50 |
|  |  |  | 16 | 1.000 | 1.025 | 2050 | 2075 | 2.500 | 3.50 |
|  |  |  | ${ }^{18}$ | 1.000 | ${ }^{1,275}$ | 2375 | 2.400 | ${ }^{2850}$ | ${ }^{\circ} \mathrm{or}$ |
|  | 2 | ${ }^{10}$ | , | 1.100 | ${ }^{1.000}$ | ${ }^{1,475}$ | ${ }^{1.500}$ | ${ }^{1.875}$ | ${ }^{3.125}$ |
|  |  |  | 16 | 1.775 | 2,175 | ${ }^{3.525}$ | ${ }_{3,550}$ | 4.125 | DR |
|  | 2 | ${ }^{12}$ | $\stackrel{18}{9}$ | $\xrightarrow{201,50}$ | ${ }^{2.500}$ | ${ }_{2 \text { 2,80 }}^{3}$ | ${ }_{2}^{3,975}$ | ${ }_{3}{ }^{\text {or }}$ | ${ }_{\text {OR }}^{\text {OR }}$ |
|  |  |  | 16 | 2885 | 3,375 | D | ${ }^{\text {or }}$ | DR | or |
|  |  |  | 18 | 3.245 | 3.75 | or | ${ }^{\circ}$ | OR | or |
|  | 4 | ${ }^{12}$ | $\stackrel{1}{9}$ | ${ }^{2275}$ | ${ }^{2730}$ | ${ }^{\text {or }}$ | ${ }^{\text {or }}$ | ${ }^{\text {or }}$ | ${ }^{\circ} \mathrm{or}$ |
| 2x6suc Grade | 2 | ${ }^{12}$ | $\stackrel{12}{ }$ | 1200 | 1.000 | ${ }^{1,700}$ | ${ }^{1,700}$ | 2025 |  |
|  |  |  | 16 | 1.225 | 2,150 | 3225 | 3.225 | 3.675 | DR |
|  |  |  |  | 2200 | 2.550 | 3.25 | 3,50 | DR | DR |
|  | 4 | ${ }^{12}$ | , | 1.450 | 1.750 | 2700 | 2725 | 3.25 | or |
|  |  |  | ${ }^{16}$ | ${ }^{2} 2.55$ | 2400 | ${ }^{\text {or }}$ | ${ }^{\circ} \mathrm{R}$ | ${ }^{\circ} \mathrm{R}$ | ${ }^{\text {or }}$ |
|  |  |  | 18 | 3.350 | 3.800 | or | ${ }^{\text {or }}$ | or | ${ }^{\circ}$ |
|  |  |  |  |  |  |  |  |  |  |




|  |  |
| :---: | :---: |
| IOB No. | 20-189 |
| (tawn: |  |
| REVIEN | 10-2-2020 |
| final: | 10-29-20 |
| Revision | 3-26-21 |
|  | $\xrightarrow{\text { ALEE }}$ PLAN |
| SHE | ET \# |
|  | N2 |


| OLITION NOTES |
| :---: |
| EXTERIOR GRADE SHALL BE INSPECTED AND LOCATIONS WHERE THE GRADE IS WITHIN $8^{\prime \prime}$ OF THE SILL PLATE, INSPECT CLOSELY FOR SIGNS OF ROT, ANY ROTTED WOOD SHALL BE REMOVED AND REPLACED AND THEN SPOT TREATED WITH TIMBOR OR AN EQUIYALENT PRESERYATIVE. <br> NEU SILICONE SEALANT SHALL BE APPLIED AROUND ANY OPENINGS THROUGH THE FOUNDATION (PIPES, WIRES, ETC). <br> ALL YERTICAL CRACKS NOTED SHALL BE TUCK POINTED WITH AN EPOXY MORTAR. <br> . GENERAL CONTRACTOR IS RESPONGIBLE FOR ALL SUB-TRADES, <br> 5. ALL WORK IS TO BE DONE BY LICENSED CONTRACTORS <br> CONTRACTOR SHALL YERIFY ALL ON SITE CONDITIONS $\ddagger$ DIMENSIONS AND TO NOTIFY TK DESIGN $\ddagger$ ASSOCIATES OF ANY DISCREPANCIES OR OMISSIONS NOTIFY TK DESIGN 4 ASSOCIATES OF ANY PRIOR TO CONSTRUCTION/DEMOLITON. <br> ONTRACTOR IS RESPONSIBLE FOR REMOYAL OF ALL CONSTRUCTION RELATED DEBRIS, TRASH, RUBBISH ETC, AND TO DISPOSE OF ALL MATERILL N A LEGAL MANNER. CONTRACTOR IS TO KEEP THE PROJECT AREA CLEAN AT ALL TIMES. <br> CONTRACTOR SHALL NOTIFY, COORDINATE, AND SCHEDLLE ANY AND ALL DISCONNECTIONS OF EXIGTING UTLLITY SERYICE WITH THE OUNER PRIOR TO THE WORK BENG DONE. REPAIR DEMOLITION PERFORMED IN EXCESS OF THAT REQUIRED, RETURN STRUCTURES AND SURFACES TO REMAIN TO CONDITION EXISTING PRIOR TO COMMENCEMENT OF SELECTIVE DEMOLITION WORK, REPAR ADJACENT CONSTRUCTION OR SURFACES SOLLED OR DAMAGED BY SELECTVE COMMOLITION WORK. <br> . MAINTAIN EXISTING UTLITY SERVICES AND PROTECT AGAINST DAMAGE DURING ALL PHAGES OF CONSTRUCTION F HAZARDOUS MATERIALS ARE ENCOUNTERED DURING DEMOLITION ORDINANCES CONCERNNG REMOYAL, HANDLING, AND PROTECTION AGAINS <br> ALL DRAUINGS ARE SCHEMATIC, EXTENT OF DEMOLITION SHOWN IS <br> APPROXIMATE, FIELD VERIFY ALL DIMENGIONS PRIOR TO COMMENCEMENT <br> ALL STRUCTURAL MEMBERS ARE TO REMAIN (TYP, UNLESS NOTED OTHERUISE) |
|  |  |
|  |  |
|  |  |
|  |  |
|  |  |
|  |  |
|  |  |
|  |  |
|  |  |
|  |  |
|  |  |



|  |
| :---: |
|  |  |
|  |  |



$\therefore$ EXGTNG ROOF PTICH
: OVERANG DIMENSONS


## 



## ves.

## viswe

Nown
0




| NOTE: <br>  INTERIOR $\ddagger$ EXTERIOR DOOR $\ddagger$ UINDOW OPENINGS (UNLESS NOTED OTHERWISE). |  <br>  HEEOS TRC CODE |
| :---: | :---: |
|  |  |
| $\begin{aligned} & \text { STUD AT EACH END OF ALL HEADERS } \\ & \text { (UNLESS NOTED OTHERUISE). } \end{aligned}$ (UNLESS NOTED OTHERWISE). |  |
| NOTE: | 6. |
|  |  |
| NOTE <br> GROUT ALL CONCRETE BLOCK LOADS FROM ABOVE (TYPICAL) |  |
| NOTE: |  <br>  |
|  |  |


$\frac{\text { FLITCH BEAM DETALL }}{\text { Salk }}$

$\frac{\text { STEEL }}{\text { cus rich }}$ RIDGE BEAM DETALL $\left(\frac{B}{32}\right)$








WHITE LAKE TOWNSHIP<br>7525 Highland Road • White Lake, Michigan 48383-2900 • (248) 698-3300 • www.whitelaketwp.com

March 24, 2021

Ken and Karen Pilarski
8315 Cooley Beach Dr.
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 side yard setback of 10 ft each side and total of 20 ft ; as well as a minimum lot width of 80 ft .

The existing structure is legal non-conforming with the 50 ft wide lot containing a residential structure having a 7.2 ft . side yard setback on the west side and a 4.5 ft side yard setback on the east side. The proposed addition would further increase this non-conformity with a 7.3 ft side yard setback on the west side and a 6.0 ft side yard setback on the east side.

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 April $22^{\text {nd }}$ Zoning Board of Appeals meeting, application must be submitted to the White Lake Township Planning Department no later than March $25^{\text {th }}$ at 4:30 PM. The Planning Department can be reached at (248)698-3300, ext. 5

Sincerely,


Nick Spencer, Building Official
White Lake Township


[^0]:    By signing this proof sheet you are authorizing C.J Signs \& Lighting to proceed with layout as shown unless noted otherwise.

