

WHITE LAKE TOWNSHIP
ZONING BOARD OF APPEALS
January 24, 2019
7525 Highland Road
White Lake, MI 48383

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

ROLL CALL: Debby Dehart - Excused
Mike Powell – Board Liaison
Nik Schillack - Excused
Cliff Seiber (Alternate)
Josephine Spencer –Chairperson
Allison Swanson
Dave Walz – Vice Chair

Also Present: Jason Iacoangeli, AICP, Staff Planner
Sherri Ward, Recording Secretary

Visitors: 4

Approval of the Agenda:

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

Approval of Minutes:

Zoning Board of Appeals Meeting of November 29, 2018.

Mr. Seiber moved to approve the meeting minutes of November 29, 2018 as presented. Mr. Walz supported and the MOTION CARRIED with a voice vote (5 yes votes)

New Business:

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| Applicant: | Ross Homes
4568 Elizabeth Lake Road
Waterford, MI 48328 |
| Location: | 1332 Bayview Drive
White Lake, MI 48386, identified as 12-34-331-023 |
| Request: | Variance to Article 3.1.6 E. R1-D Single Family Residential:
Setbacks, Lot Coverage, Lot Size, and Lot Width. |

Mr. Iacoangeli presented his report.

Property Description: The property at 1332 Bayview Drive is a single family home zoned R1-D Single Family Residential. The property is located in the Oak-Dale Sub on Sugden Lake. The home currently uses a private well for water, and a private septic system for sanitation.

Applicant's Proposal: The applicant is proposing to construct a new 240 square foot (12 x 20) home addition to the rear of the home.

Staff Planner's Report: The applicant is proposing to use the existing external wall elevations of the home for the new addition. This will require the home to be granted a side-yard setback variance in the amount of five feet. The survey provided by the applicant shows the new home addition setback five (5') feet on the north side of the property. The new addition would meet all of the other dimensional setbacks for the district. The new addition would place the home over the allowable 20% lot coverage by 2% or 110 square feet. The lot is undersized for the R1-D District being only 6,925 square feet. This is 5,075 square feet below the minimum lot size of 12,000 square feet. Also, the lot is only 50 feet wide of the required 80 feet for R1-D parcels.

Ms. Spencer noted for the record that 19 property owners within 300 feet were notified of the request. There were no letters received in favor, no letters received in opposition, and no letters were returned undeliverable by the US Postal Service.

Mr. Powell asked about setback from the water. Mr. Iacoangeli reported that it is 25 feet from the natural water setback. Mr. Powell asked about a site line ordinance and Mr. Iacoangeli noted that White Lake Township does not have a site line ordinance.

Jedidiah Ross was in attendance as the builder. Mr. Ross asked the board to continue the 5 yard setback the residence currently has. Mr. Ross stated that they are only asking for a square footage variance of 51' feet because if you triangulate in the area to the seawall it adds about 450 square feet. The adjacent lots each have the same size along the water.

Ms. Spencer asked if he is staying on the same line for new construction and he is.

Mr. Seiber asked where the septic is located. Mr. Ross reported that it is located between the home and the road. Mr. Powell asked where the well is located. The well is in the front of the house, on the street side.

Mr. Powell noticed that a detailed floor plan was not provided. Mr. Powell asked if the addition was jogged 10 feet to the south, how would that change the usability of the floor plan. Mr. Ross noted that the house is a rectangle. Mr. Powell asked how the waterfront room is laid out. The homeowner was in attendance at the meeting and stated that it is open space with a big pillar. The proposed use is to extend that great room. If it was jogged, it would not make for a good flow or use of that space. Mr. Powell noted that there is a deck proposed and asked if the addition is a single story? The addition is a single story, and the deck is on the first floor, approximately 3 feet above grade.

Mr. Powell noticed that the home to the north is setback further, and the home to the south is much closer to the water. Mr. Powell doesn't see that as an issue. The homeowner to the north was in attendance and she doesn't have a problem with the proposed addition.

Arnie Campbell (1340 Bayview). Mr. Campbell is the homeowner to the south and he is in support of the addition, he thinks it makes it a more livable space. Sharon Juhnke, is on the north side and she is in favor of the project and doesn't think it will affect her view. It should add value to the homes in the area, and she has no issues at all. Both Mr. Campbell and Ms. Juhnke would like to see the variance granted.

Mr. Powell stated that most of the time when an addition is added, the Oakland County Health Division is called upon for review and he wanted to note that.

Mr. Seiber visited the site, and he thanked them for staking the corner. If there were a site line ordinance it appears this would meet this. If the footprint was shifted 10 feet over, it would affect the usability of the room and Mr. Seiber thinks this is a reasonable request.

Mr. Walz moved to approve the variance requested by Andy and Kristi Hopfinger for the property at 1332 Bayview Drive identified as 12-34-331-023 in order to construct a home addition. The variance requested is from Article 3.1.6 for a 5.0 ft. variance from the required side yard setback of 10.0 ft. for an end result of 5.0 ft.; a 2.0% (110 sq ft.) variance from the maximum lot coverage requirement of 20% (1,385 sq. ft.) for an end result of 22.0% (1,495 sq. ft.); a 5,075 sq. ft. minimum lot size variance from the required 20,000 sq. ft. for an end result of 6,925 sq. ft.; a 30 ft. lot width variance from the required 80 ft. for an end result of 50 ft. This approval will have the following conditions: Applicant will pull all necessary permits with the White Lake Township Building Department and verify permitting with the Oakland County Health Division. Mr. Seibert supported and the MOTION CARRIED with a roll call vote: Powell – yes, Seibert – yes, Spencer – yes (this will be an improvement to the neighborhood), Walz – yes (for the reasons stated), Swanson – yes. (5 yes votes)

Other Business

Mr. Powell asked about the 6 month requirement and the property variances. The variances run with the property – the dimensional variances run with the house.

Mr. Powell noted that in strict interpretation, it's a nonconforming lot. Mr. Powell asked if we now just decreed it to be a legal non conforming lot? Mr. Iacoangeli said that there are petitions available for Class A and B nonconforming uses on lots. The Township recognizes these as a nonconformity and allows them to expand. Mr. Powell asked what advantage there is? Mr. Iacoangeli noted that a good example would be the auto repair facility at Union Lake and Elizabeth Lake Road. Mr. Iacoangeli would have to look and see which board would approve the nonconforming uses.

The next agenda will include the election of officers if it hasn't been done for 2019 yet.

Adjournment:

The meeting was adjourned at 7:30 p.m.

Next Meeting Date:

February 28, 2019