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WHITE LAKE TOWNSHIP

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WHITE LAKE TOWNSHIP ZONING BOARD OF APPEALS

April 26, 2018

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: Mr. Walz was excused.

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

Also Present: Jason Iacoangeli, AICP, Staff Planner
Lynn Hinton, Recording Secretary

Visitors: 24

Approval of the Agenda:

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

Approval of Minutes:

- a. Zoning Board of Appeals Meeting of March 22, 2018

Mr. Powell moved to approve the minutes of March 22, 2018 as corrected. Ms. Dehart supported and the MOTION CARRIED with a voice vote (5 yes votes)

Continuing Business:

a. **File 18-006**
Applicant: Jim Abraham
1805 Grove Street
Highland, MI 48356
Location: Vacant property on Ridge Road, south of Audubon
White Lake, MI 48383, identified as 12-18-351-055
Request: Variance to Article 3.1.6 R1-D Single Family Residential for lot coverage and lot width.

Ms. Swanson made a motion to remove File 18-006 from the table. Mr. Schillack supported and the MOTION CARRIED with a voice vote. (5 yes votes)

Mr. Iacoangeli indicated that this was tabled at the last meeting mainly due to lot coverage. The applicant submitted a new plan for the home reducing the lot coverage from 27.8% to 25.8%. Since the time the staff report was written, Mr. Abraham has made another reduction in his plan (another 341 sq. ft.) and is now at 24.7%. He has removed square footage from the proposed garage and uncovered some of the porch space behind the home.

Jim Abraham, 1805 Grove St., stated that he thinks he has finally reached a mutual, agreeable plan and he is looking to move this along so he can break ground.

Mr. Powell referenced the plan and stated that he sees the uncovered portion of the deck, which reduces square footage, but asked why he didn't do the covered walkway between the two decks. Mr. Abraham responded that the original plan was to have it all covered, but to get lot coverage number they had to pull it back. He could pull it back a little more if required.

Mr. Abraham added that they have a hold letter with Oakland County Health Department for the septic (1,200 sq. ft. required) and that the property perked fine. Mr. Powell asked if the septic would be road side and Mr. Abraham confirmed that it would, and that it would be located off the north corner with a pump system up to the field, which is in the southeast corner.

Mr. Iacoangeli indicated that Mr. Abraham has reduced his overall plan by 614 sq. ft. or 24.7% lot coverage, since his original submittal.

Mr. Powell moved to approve the variance requested by Jim Abraham for the property parcel 12-18-351-055 in order to construct a new single family home with an attached garage. The variance requested is from Article 3.1.6 for a (614 sq. ft.) variance from Maximum Lot Coverage from the permitted 20% (3,572 sq. ft.) for an end result of 24.7% (4,136 sq. ft.). This approval will have the following conditions: The applicant will pull all necessary permits with the White lake Township building department; soil erosion and sedimentation control will be maintained at all times to the county standard; and Oakland County Health Division approval for well and septic must granted prior to issuance of a building permit. Ms. Dehart supported and the MOTION CARRIED with a roll call vote: Spencer – yes (there is a hardship and the previous request has been reduced); Dehart – yes (because of the reduction in lot coverage and variances); Powell – yes (the applicant has worked with the township to reduce the variance requested and this is keeping with the characteristic of the neighborhood); Schillack – yes (for the reasons stated); Swanson –yes (for the reduction in lot coverage and variances). (5 yes votes)

New Business:

a.	File 18-003
Applicant:	Paul Tsurui 1056 Ennest White Lake, MI 48386
Location:	1056 Ennest, White Lake, MI 48386, identified as 12-35-227-018
Request:	Variance to Article 3.1.6 R1-D Single Family Residential for front yard setback, minimum floor area, and lot size.

Ms. Spencer noted for the record that 35 property owners within 300 ft. were notified of the request. There were no letters received in favor, no letters received in opposition, and 2 letters were returned undeliverable by the U.S. Postal Service.

Mr. Iacoangeli reviewed his report dated April 11, 2018. The property at 1056 Ennest is located in the Marjorie Vesta Park Neighborhood. The home uses a private well and a private septic field for

sanitation. The applicant is proposing to build a new attached 22 ft. x 24 ft. (528 sq. ft.) garage to the existing home. The garage will require a front yard setback from the Funston Street side, as this property is a corner lot with a front yard on Funston and Ennest. The new garage is proposed to be 18 ft. from the property line. This will require a variance in the amount of 12 ft. This lot is deficient in size, being only 8,002 sq. ft. of the required 12,000 sq. ft. for the R1-D District. Also, the existing home does not meet the current ordinance standard for minimum floor area. The existing home is 792 sq. ft. of the required 1,000 for a single story home. It is deficient in size by 208 sq. ft. The new garage addition does not count toward the minimum floor area however it will give the appearance of being more conforming.

Mr. Tsurui stated that he's on a corner lot and the setback requirements are more. He is proposing a 24 ft. x 22 ft. garage, with the 22 ft. being the depth. From the edge on Funston to the edge of the garage is 24 ft. and other house are closer than that.

Mr. Powell stated that he knows Mr. Tsurui was measuring to the edge of the gravel part of the road. The property line extends further into his yard. He did ask Mr. Tsurui to share with the board the reason why he needed this, as he shared with him personally earlier that day. Mr. Tsurui indicated that his son is handicapped and wants to put a ramp access in the garage for him.

Ms. Spencer opened the public hearing at 7:23 pm. No comments were offered and the public hearing was closed at 7:24 pm.

Ms. Dehart moved to approve the variance requested by Paul Tsurui for the property parcel 12-35-277-018 in order to construct a new attached garage. The variances requested from Article 3.1.6 are as follows: (1) a 12 ft. front yard setback variance from the permitted 30 ft. for an end result of 18 ft.; (2) A 8,002 sq. ft. variance to Minimum Lot Size from the permitted 12,000 sq. ft. for an end result of 3,998 sq. ft.; (3) a 208 sq. ft. variance to Minimum Floor Area from the required 1,000 sq. ft. for an end result of 792 sq. ft. This approval will have the following conditions: The applicant will pull all necessary permits with the White Lake Township building department. Ms. Swanson supported and the MOTION CARRIED with a roll call vote: Dehart – yes (this is an improvement to area and there is a hardship with the corner lot and this being a non-conforming lot); Swanson – yes (the applicant is restricted with the corner lot); Powell – yes (for the reasons stated and by this addition, it will make the home appear to be more in conformance); Schillack – yes (it will appear that the home is more proportional to the neighborhood); Spencer – yes (this is a non-conforming lot and the hardship has been outlined. This will bring relief). (5 yes votes)

b.	File 18-009
Applicant:	Moscovik Building Co LLC PO Box 1541 Clarkston, MI 48347
Location:	1241 Rossfield Dr., White Lake, MI 48386, identified as 12-36-403-047
Request:	Variance to Article 3.1.2 SF Suburban Farms for side yard setback, lot size and lot width.

Ms. Spencer noted for the record that 25 property owners within 300 ft. 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 U.S. Postal Service.

Mr. Iacoangeli reviewed his report dated April 11, 2016. The vacant property located just south of 1249 Rossfield Drive is approximately a 32,369 sq. ft. parcel zoned SF (Suburban Farms). The home is located in the Cooley Beach Subdivision neighborhood. The new home will use a private well for water and a private septic system for sanitation. The applicant is proposing to build a new

1,700 sq. ft. single family home that has a 576 sq. ft. attached garage. Single-family homes are a principal permitted use for SF zoned parcels. The applicant is seeking variances for side yard setbacks, as the existing lot is 100 ft. wide. The applicant would like to have the side yard setbacks for the new home set at 20 ft. The SF district requires the side yard setbacks to be 25 ft. The minimum lot width for a SF lot is 165 ft. per the ordinance. The parcel is also deficient in lot area only being 32,369 sq. ft. of the required 2 acres, or 87,120 sq. ft.

Mr. Powell questioned why the Planning Commission didn't rezone this entire area. Mr. Iacoangeli indicated that the township does not initiate rezoning unless necessary. This appears to be a hold over when Union Lake was more rural. These aren't uncommon, and there is a handful of these properties spread out throughout the township that are smaller than they should be.

Dan Rush, Construction Design, 2867 Glenwood, Lake Orion, indicated that he would be designing the home. They would like to build a modest 1,700 sq. ft. brick craftsman style, approximately 60 ft. wide, and they are asking for 20 ft. side yard setbacks as opposed to the required 25 ft. The area is surrounded by R1-C and R1-D zoning. He also wondered why the township didn't change the zoning at the same time. (SF) asks for 2 acres, and this parcel is $\frac{3}{4}$ -acre with a minimum lot width of 165 ft. If you take 50 ft. away from 100 ft., it does not leave a lot to build on. They would like to build 60 ft. wide. They feel it would be more attractive to the area.

Mr. Powell questioned Mr. Rush on why he didn't design a longer, narrower house knowing he could fit a home on the parcel without needing side yard variances.

The homeowner, Kate Hudson, 2155 Lone Birch Drive, Waterford, stated she wants a ranch home that is aesthetic to the property. Since they have 100 ft. of frontage, she felt it would look better if the ranch were wider and not narrow and it is also keeping with the neighborhood. Having the setbacks because of the (SF) zoning, the property was greater at one time and there were horses.

Mr. Powell stated that the ZBA board can't issue variances just because people want them. They have to justify breaking the ordinance, and there has to be a hardship or practical difficulty. Ms. Hudson didn't think there was a practical difficulty. When they bought, they knew it would be 25 ft. setbacks, but putting a skinny, narrow house on a wide property would not be aesthetically pleasing. Mr. Powell asked what their timing is on this. Ms. Hudson responded they would like to get this started sooner than later. They haven't put the plans in place yet, but they do have a house they want to build.

Mr. Rush added that he builds homes and if a home is 50 ft. wide, it's on a 75 ft. lot. People want to take advantage of a wider parcel, and it would not look pleasing to put 50 ft house on 100 ft. lot. They are still leaving 20 ft. on each side and he does not feel this is inappropriate.

Ms. Dehart said Mr. Iacoangeli what the setbacks would be if this were zoned R1-D. Mr. Iacoangeli responded with 80-85 ft., but this is a non-conforming lot for (SF). Ms. Dehart asked when the lot was split. Mr. Iacoangeli indicated that he was not aware of any rezoning in this area for some time. Mr. Powell felt that for the township to split this, it would have been inappropriate. Mr. Iacoangeli stated that a split that would leave this lot non-conforming would have had to come before this board.

Ms Spencer asked whether (SF) had a different restriction for lot size and whether it was platted properly when it was platted. Mr. Iacoangeli stated this lot is 32,000 sq. ft. It would have to be looked at when it was (SF) and how it got this way. Mr. Powell noted that this is a hardship not of her doing, but what she is asking to do is what is being debated right now.

Ms. Spencer opened the public hearing at 7:40 pm.

Adam Cairo, 1295 Rossfield, indicated that there are 2 homeowners responsible for the private road and with this new construction, he questioned who would be responsible for repairing damage to the road from construction equipment. Ms. Hudson noted that this particular part of Rossfield Road is not private. OCRC has call this road a "stepchild" of Oakland County. The opposite side of the road is private. OCRC does not maintain it, but it should. Ms. Hudson stated she and her husband would do their due diligence to keep the neighbor happy.

Larry Rundell, 1246 Rossfield, stated he lives on the north end of the street. His concern is with Rossfield turning into a through road. Also, in 30 years, he cannot get a good answer of who's responsible for that road. RCOC has said the road is there for utility crews. He was told the original residents had an agreement to line the road and put in a better road and RCOC would plow it on their way back. That's why they have trash pickup. Snow removal is a very low priority.

Mr. Schillack asked who plows the road now and Mr. Rundell stated that he is the sole person responsible. Mr. Cairo added that he only saw one truck last winter. Mr. Powell asked who took care of the south side and both said they just drive through the snow.

With no other comments, Ms. Spencer closed the public hearing at 7:45 pm.

Mr. Powell feels the appropriate thing to do is ask for a rezoning of this parcel, forcing the township to look at and rezone all to R1-C or R1-D. Ms. Hudson asked if this would slow down building and Mr. Powell stated it would be 60-90 days, but she would not have to come back before this board.

Mr. Iacoanageli stated that he could not comment on this without looking at zoning map.

Mr. Moscovik questioned what would happen if the Planning Commission were to deny the rezoning request. Mr. Powell felt that would be unusual, and they would be back before the ZBA again. Mr. Moscovik noted that it would set them back 3 months. Mr. Hudson stated she knows this would seem reasonable, but not in her world.

Mr. Rush asked the board to consider granting the variance now so they can get started, then doing a rezoning application for it to comply.

Mr. Iacoangeli stated he would be hesitant to make a condition with this motion. They can make an application for rezoning.

Mr. Moscovik asked if it were feasible that the ZBA could grant the variance then go to the people in the township that would rezone it. Mr. Powell stated that it didn't work that way. The applicant has to apply and the Planning Commission would make a recommendation to the township board, which makes the final decision.

Mr. Iacoangeli cautioned on making this a habit for making the applicant apply for rezoning to avoid seeking variances. He does not recommend using this mechanism to clean up these non-conformities. Mr. Powell stated that if the board sticks to the law, the applicant can build on the property. Mr. Iacoangeli felt that what the applicant is asking for is reasonable and to require a ranch home situated on the lot the other way is unreasonable.

Mr. Schillack stated he is inclined to grant this request. Mr. Iacoangeli indicated that he would get with applicant after the meeting and also discuss with the Planning Director what his opinion is. Ms. Dehart asked if the liaison can bring this up and Mr. Iacoangeli confirmed that he could. Some of these odd lots have been left over and there is a handful of properties that don't conform. Often times, people will rezone to combine parcels and organically this worked itself out. This is an odd street with larger parcels that give the street character.

Ms. Spencer stated that she does not want the applicant to have additional expense of applying for rezoning. Why add additional burden when they already have a legal lot that his non-conforming.

Mr. Iacoangeli stated there are township-initiated rezoning, and some of the uses still remain and become legal non-conforming until they go away. When the township does this, it becomes controversial.

Mr. Schillack moved in File 18-009 to approve the variances from Article 3.1.2 as requested by Richard Moscovik for the property parcel 12-36-402-047 in order to construct a new home. The variances requested are as follows: (1) a 5 ft. north side yard setback variance from the permitted 25 ft. for an end result of 20 ft.; (2) a 5 ft. south side yard setback variance from the permitted 25 ft. for an end result of 20 ft.; (3) a 65 ft. variance from Required Lot Width from the required 165 ft. for an end result of 100 ft.; (4) a 54,751 sq. ft. variance to Minimum Lot Size from the required 87,120 sq. ft. (2 acres) for an end result of 32,369 sq. ft. This approval will have the following conditions: that the applicant will pull all necessary permits with the White Lake Township Building Department. Ms. Swanson supported and the MOTION CARRIED with a roll call vote: Swanson – yes (due to lot deficiency and non-conformance in the SF district); Schillack – yes (for reasons stated and current (SF) zoning); Powell – yes (this is legal non-conforming lot and presents a hardship on the applicant because the minimum width does not comply and the proposed home cannot meet the requirements); Spencer – yes (this is a reasonable request due to the hardship of the non-conforming lot); Dehart – yes (for reasons stated). (5 yes votes)

c.	File 18-010
Applicant:	Bryce & Kimberley Tomas 5464 Lancaster Lane Commerce, MI 48382
Location:	3333 & 3321 Duffield, White Lake, MI 48383, identified as 12-07-377-025 and 12-07-377-026
Request:	Variance to Article 3.1.6 R1-D Single Family Residential for front yard setback, and lot coverage.

Ms. Spencer noted for the record that 31 property owners within 300 ft. 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 U.S. Postal Service.

Mr. Powell stated that the applicant has hired his company to design a engineered septic system and he requested to be recused from the discussion.

Ms. Swanson moved to remove Mr. Powell from discussion on File 18-010. Ms. Spencer supported the the MOTION CARRIED with a unanimous voice vote. (5 yes votes)

Mr. Iacoangeli reviewed his report dated April 11, 2018. The properties of 3333 and 3321 Duffield are located adjacent to each other on what are parts of Lot 6, 7 and 8 of the Supervisor's Plat No. 1 on White Lake. The existing homes both use private wells and private septic systems for sanitation. The applicants are proposing to remove both of the existing homes, and combine the lots in order to build one new single family home on the new parcel. The new home is proposed at 2,251 sq. ft. with (2) attached garages; one at 455 sq. ft. and the other at 676 sq. ft. for a total of 1,131 sq. ft.

The applicant is seeking variances that will allow them to build a home that will accommodate multi-generational living. As discussed with the applicant, this will be one house that accommodates a shared living agreement. This is not going to be two separate homes that are connected by a common wall or door, which would constitute a duplex or an attached secondary dwelling unit. The Community Development Department is satisfied after meeting with the

applicants and reviewing the floor plan, that this home will be a single family home. The home will require a front yard setback in the amount of 15 ft. leaving the home 15 ft. from the property line. Also, the new home will be over on lot coverage by 8%, or 1,065 sq. ft. over the allowable 2,771 sq. ft. The total lot coverage of the home will be 3,836 sq. ft. or 28%. The home will also have a side entrance garage that requires 25 ft. of maneuvering room for a side entry garage. The applicant will be providing 19.5 ft. of maneuvering room in front of the garage. The new lot that is being created as a part of this process will be conforming for the district.

Mr. Iacoangeli noted that it was brought to the department's attention that the public notice did not include the variance for a garage side entry, which means the board cannot take action on that item this evening. The office will send out a separate notice and have a special meeting in the next 2 weeks.

Kimberly Tomas, designer of the proposed home, and homeowner of the property with her husband, indicated that they are in the process of acquiring the other lot and combining the two in order to incorporate an in-law suite. This will allow her in-laws to live with them full time and care for their children and also allow for aging. She gave a detailed presentation with dimensions and non-conformities that exist with each lot. She noted there are 11 existing non-conformities. Combining the lots and building a new home will reduce the non-conformities down to 3.

With regard to the front yard setback, there is a 20 ft. drop on the back side of the property and they have done their best to tier that side. The septic has to be located in the rear yard due to the catch basins. Mr. Powell has designed this to allow the field to be as small as possible. She added that the land perks. The front and rear lines are askewed, which also makes this site difficult.

Mrs. Tomas continued by stating the lot coverage requested is 27.7%, not 28%. The 20% lot coverage is overly restrictive for lake lots, as Highland and Commerce Townships are 45% and 35% coverage, respectively. To meet the current standards they would have to eliminate the garage, which they feel is unreasonable for Michigan living. Some might say that a 4-car garage is excessive, but a nice design can be fitting with the neighborhood and improve appearance. The view from the street would be 75% house and 25% garage, thus creating a garage on both sides.

The clerical error in advertising the garage variance is unfortunate, but she wanted to address it anyway. They need 5.5 ft. for a total of 19.5 ft. side yard. The side entry garage is key, and the 25 ft. maneuvering is restrictive, as that clearance was intended for all vehicles. Their personal vehicle sizes will work. She also designed a backup pad so as to not encroach on the neighbor's property.

Mr. Schillack asked if this could be approved before they actually own the other lot. Mr. Iacoangeli indicated that some variances have been predicated before people can execute a purchase agreement. In this case, it's the parent's property and they have a purchase agreement.

Ms. Spencer opened the public hearing at 8:28 pm.

Karen Law, 3332 Duffield, stated she can live with what they are proposing. Her aunt built one of their houses, and it's hard to see them go, but its time for them to go. She has two concerns: (1) because there are 3 homes that share the easement to go down to the lake, the easement is in terrible condition and she asked whether it could be leveled out. Mr. Tomas said the easement is not on their property, but it is their wall. They want to put in a new wall, but they are waiting for agreement from the neighbors; (2) she is concerned with drainage on the other side of the lot. Ms. Tomas responded by stating they share her concerns and by code, they have to provide drainage that will not go on her property.

Anthony Provencio, 3263 Duffield, referenced the area where the existing wall is. He feels this will become sharper and the elevation change will become more drastic. He is suggesting an engineered wal to mitigate erosion or a fence similar to allow safe access.

Mr. Iacoangeli stated that the easement is deeded to Mr. Provencio's property and it is his obligation to bring it up to standard. The board cannot burden the Tomas'. Ms. Tomas stated they have approached the neighbor to help financially take care of this. The steps are on the neighbor's property going to the water. The neighbor has moved this position and is now not maintaining it. They need the southerly neighbor to help. Mr. Iacoangeli stated the township may want to review any new retaining walls, and will look at this from a safety standpoint.

With no other comments, Ms. Spencer closed the public hearing at 8:35 pm.

Mr. Dehart moved to approve variances requested by Bryce and Kimberly Tomas for the vacant parcels identified for 12-07-377-025 and 12-07377-036 to construct new home. Variances requested as follows: (1) a 15 ft. front yard setback variance from the permitted 30 ft. for an end result of 15 ft.; and (2) a 7.7% variance to Maximum Lot Coverage from the permitted 20% for an end result of 27.7%. This approval will have the following conditions: The existing lots will be combined into one new parcel meeting the requirements of the White Lake Township Assessing Department; the applicant will pull all necessary permits with the White lake Township Building Department; the applicant will achieve well and septic approval from the Oakland County Health Division; and a Soil Erosion permit from Oakland County will be obtained and maintained during construction. Ms. Swanson supported and the MOTION CARRIED with a roll call vote: Spencer - yes (this will eliminate numerous non-conformities, and we are charged with eliminating); Dehart – yes (for reasons stated and this will be an asset to the neighborhood); Schillack – yes (for reasons stated); Swanson – yes (for reasons stated). (4 yes votes)

d.	File 18-011
Applicant:	Robert Knisley 8780 Arlington White Lake, MI 48386
Location:	8780 Arlington, White Lake, MI 48386, identified as 12-13-327-005
Request:	Variance to Article 3.1.6 R1-D Single Family Residential for front yard setback, lot width, lot size, and lot coverage

Ms. Spencer noted for the record that 29 property owners within 300 ft. 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 U.S. Postal Service.

Mr. Iacoangeli reviewed his report dated April 12, 2018. This is a single family home in the Wallschlager's Subdivision neighborhood located on Pontiac Lake. The home uses a private well for water and is connected to the public sewer system for sanitation.

The applicant is proposing to construct a home and garage addition to a home that "requires significant repairs" according to the applicant. The new home addition will be 31 ft. x 12 ft., or 372. Sq. ft. Also, a 9 ft. x 10 ft. (90 sq. ft.) covered porch will be added to the home. The garage will see a 4 ft. x 7 ft. addition added to the existing garage to make the garage 24 ft. x 26 ft. The applicant is increasing the size of the currently conforming home to make the new home 1,519 sq. ft. The new addition and porch will not require any dimensional variances and will meet all of the setback requirements for the district. The new garage addition will be added to a legal non-conforming garage. The new garage will require a front yard setback of 18 ft. The garage addition will be 12 ft. from the property line. It should be noted on the plan that the new garage is depicted being built over a gas line. The gas line would either need to be relocated or the addition reduced to not cover the gas line that serves the home. The garage will be 27 ft. from the

traveled portion of Arlington. The new addition to the home, covered porch and garage addition will place the lot coverage at 30%. This parcel is legal non-conforming with regard to lot width being 55 t. of the required 80 ft., and deficient in lot size being only 7,371 sq. ft. of the required 12,000 sq. ft. for the R1-D district.

The applicant said gas line has already been relocated.

Mr. Knisely, 8780 Arlington, stated that the gas line has already been relocated. He added that he has been a life-time resident. The lot is too small to build garage and he thinks his plan will make this cottage a family house.

Mr. Powell stated that besides lot coverage, it doesn't appear we are adding to existing non-conformities. Mr. Iacoangeli added that the new addition doesn't encroach and the new front porch meets all dimensional variances. The new right hand corner of the garage is driving the variance request from the street and because this is new, it has to be counted due to the fact that he's expanding the non-conformity on that side.

Mr. Powell moved in File 18-011 to approve the variances requested by Robert Knisley for the property at 8780 Arlington identified as 12-13-327-005 in order to construct a home addition and garage addition. The variances requested are as follows: (1) a 18 ft. front yard setback variance from the permitted 30 ft. for an end result of 12 ft.; (2) a 10% (764 sq. ft.) variance to Maximum Lot Coverage from the permitted 20% (1,474 sq. ft.) to 30% (2,238 sq. ft.); (3) a 25 ft. variance to Required Lot Width from the required 80 ft. for an end result of 55 ft.; (4) a 4,629 sq. ft. variance to Minimum Lot Size from the required 12,000 sq. t. for an end result of 7,371 sq. ft. This approval will have the following conditions: The applicant will pull all necessary permits with the White Lake Township Building Department. Ms. Swanson supported and the MOTION CARRIED with a roll call vote: Powell – yes (this is a small parcel and the hardship is not self-imposed and there are no greater variances and this will not detract from the neighbors); Spencer – yes (there is a hardship on this legal conforming lot); Dehart – yes (for the reasons stated); Schillack – yes (this will be more consistent with the others); Swanson – yes (for the reasons stated). (5 yes votes)

a.	File 18-012
Applicant:	Nathen-Perri Rosen / Gittleman Construction 810 Golden Shores Drive White Lake, MI 48386
Location:	810 Golden Shores Dr., White Lake, MI 48386, identified as 12-34-229-006
Request:	Variance to Article 3.1.6 R1-D Single Family Residential for front yard setback, side yard setback, and lot coverage.

Ms. Spencer noted for the record that 24 property owners within 300 ft. 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 U.S. Postal Service.

Mr. Iacoangeli reviewed his report dated April 17, 2018. This is a single family home located in the Golden Shores Subdivision No. 1 on Cedar Island Lake. The home uses a private well for water and a private septic system for sanitation.

The applicant is proposing to construct a home addition to both the north and south side of the home. The addition on the north side will be approximately 4.5 ft. x 42 ft. or 189 sq. ft. The south side addition will be approximately 22 ft. x 10 ft. or 220 sq. ft. These additions are being made in order to accommodate a reorganization of the floor plan. The new home addition on the north side will require a front yard setback variance of 5 ft. The required side yard setback for this district is 10 ft. The new addition will also require a front yard setback in the amount of 12 ft. with

an end result that the home will be 23 ft. from the property line. The home will be approximately 42 ft. from the traveled portion of Golden Shores Drive. This lot is deficient in size for the district being only 13,487 sq. ft. of the required 16,000 required in the R1-C district. This lot is conforming with regard to lot width.

Mr. Powell stated that the existing home is non-conforming and questioned what the applicant is suggesting. Mr. Iacoangeli indicated that the front yard setback is non-conforming and the existing home is non-conforming with the north side yard setback. They are looking for 8.75 ft. instead of 10 ft. The addition on the south side will not require any variances. Because it goes all the way to front of the house, it requires side and front yard variances because they are exasperating the non-conformity.

Scott Gittleman, 20875 Orchard Lake Road, representing the Rosen's, stated that the garage is very narrow at 19.1 ft. and it makes sense to widen it and enhance the master suite. This is a lake house at which the Rosen's are intending on moving into it full time. The nonconformity is in the front and side yard.

Ms. Dehart said it appears the crawl space access will be under addition. Mr. Gittleman indicated they would make provisions for access, but the doors would disappear.

Ms. Spencer opened the public hearing at 9:06 pm.

Rob Dyszewski, 775 Golden Shores, stated that he approves of the proposed plan.

With no other comments, Ms. Spencer closed the public hearing at 9:08 pm.

Mr. Powell indicated that this is close to the side yard and granting the variance might be exasperating a condition they might not want to the adjacent neighbor. He referenced a prior case where the mechanicals were placed outside the neighbor's window.

Mr. Iacoangeli asked the applicant if he would be putting mechanicals on side of the house. Nathan Rosen, 1587 Village Place Court, West Bloomfield stated the mechanicals are at the rear of the home and there was no plan to move them.

Mr. Powell understands the reason for expanding the garage is understood, but it could jog back in. Mr. Gittleman stated they want to enlarge the footprint to expand the bathroom and mudroom. Mr. Powell felt that any shortening of that addition reduces the variance requested on that side of the house.

Ms. Swanson stated that the setback on the side yard and how close it is to the property concerns her. Mr. Gittleman stated they have no problem pushing that wall over to make that variance 5 ft.

Mr. Powell moved in File 18-002 to approve the variance requested by Nathan and Perri Rosen for 810 Golden Shores identified as 12-34-229-006 in order to construct a home addition. The variances requested are as follows: (1) a 12 ft. front yard setback variance from the permitted 35 ft. for an end result of 23 ft.; (2) 3.1.5, a 2 ft. variance to the north side yard setback from the permitted 10 ft. for an end result of 8 ft.; (3) a 2,513 sq. ft. variance to Minimum Lot Size from the required 16,000 sq. ft. for an end result of 13,487 sq. ft. conditioned upon the applicant pulling permits and soil erosion from OCRC, and that the lot be restricted from placing mechanical or generators on the north side of the home. Mr. Schillack supported and the MOTION CARRIED with a roll call vote: Spencer – yes; (the applicant has worked with the board to reduce the side setback, and this is a non-conforming); Schillack – yes (for the reasons stated); Powell – yes (for the reasons stated); Swanson – yes (for the reasons stated); Dehart – yes (for the reasons stated). (5 yes votes)

Other Business:

- a. Election of Officers

Ms. Dehart moved to renominate Josephine Spencer as Chairperson. Mr. Schillack supported and the MOTION CARRIED with a unanimous voice vote. (5 yes votes)

Mr. Powell moved to renominate Dave Walz as Vice Chairperson. Mr. Schillack supported and the MOTION CARRIED with a unanimous voice vote. (5 yes votes)

Mr. Powell moved to nominate Mr. Schillack as Secretary. Ms. Dehart supported and the MOTION CARRIED with a unanimous voice vote. (5 yes votes)

Next Meeting Date:

- a. Regular Meeting – May 24, 2018

Adjournment:

The meeting was adjourned at 9:27 p.m.