

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



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

WHITE LAKE TOWNSHIP

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

ZONING BOARD OF APPEALS

March 22, 2018 at 7:00p.m.

White Lake Township
7525 Highland Road
White Lake, MI 48383

AGENDA

1. Call to Order/Roll Call
2. Pledge of Allegiance
3. Approval of Agenda
4. Approval of Minutes:
 - a. [Zoning Board of Appeals Meeting of January 25, 2018](#)
5. Continuing Business
6. New Business:
 - a. [File No. 18-005](#)
Applicant: Michael Epley
6075 Carroll Lake Road
Commerce, MI 48382
Location: 593 Burgess Drive
White Lake, MI 48386, identified as 12-27-429-010
Request: Variance to Article 3.1.5 R1-C Single Family Residential for side yard setback, lot coverage, lot width, and lot size.
 - b. [File No. 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.

c. [File No. 18-007](#)
Applicant: Jolm Badaczewski
4224 Jackson Blvd
White Lake, MI 48383
Location: 4224 Jackson Blvd
White Lake, MI 48383, identified as 12-07-326-007
Request: Variance to Article 3.1.5 R1-C Single Family Residential for
side and front yard setback, lot coverage, lot size, and lot width.

7. **Other Business:**

a. Capstone Presentation

8. **Next Meeting Date:**

a. April 26, 2018

9. **Adjournment**

WHITE LAKE TOWNSHIP
ZONING BOARD OF APPEALS

REPORT OF THE
COMMUNITY DEVELOPMENT DEPARTMENT

TO: White Lake Township Zoning Board of Appeals

FROM: Jason Iacoangeli AICP, Senior Planner

DATE: March 13, 2018

Agenda item: 6c

Appeal Date: March 22, 2018

Case No.: 18-007

Applicant: John Badaczewski
4224 Jackson Blvd
White Lake, MI 48383

Zoning: (R1-C) Single Family Residential

Location: 4224 Jackson Blvd.
White Lake, MI 48383

Property Description: The property 4224 Jackson Boulevard identified as parcel 12-07-326-007 is zoned (R1-C) Single Family Residential. The current home on the property uses well and private septic system. The home is located in the Supervisors Plat No.1 located on White Lake.

Applicant's Proposal: The applicant is proposing to construct an attached 24 x 24 garage addition to the existing home. The new garage would be approximately 576 square feet.

Staff Planner's Report: The garage addition at 4224 Jackson Blvd. will be located on the north side of the property. The property currently has a garage located on the side of the property. The applicant is proposing to be five (5') from the side property line on the north side. The applicant has not supplied the Township with a formal survey, or drawing that is to scale that depicts the actual setback of the new attached garage. In the field Township staff were able to verify that the existing structure is located approximately five (5') feet from the property line. However, due to snow cover it was hard to verify the property line. The new garage will also require a front-yard setback in the amount of sixteen (16') feet as the garage will be located nineteen (19') feet from the property line. The R1-C District requires that a thirty-five (35') foot front yard setback. This garage addition will also require a lot coverage variance in the amount of 3.3%. The allowable lot coverage is 1,770 square feet or 20%. The new garage will bring the lot coverage to 2,064 square feet of 23.3% lot coverage. The lot is deficient in size being only 8,854 square feet of the required minimum of 16,000 square feet for the R1-C District.

Proposed Variances

Variance#	Ordinance Section	Subject	Permitted	Requested Variance	End Results
	Article 3.1.5	Side Yard Setback	10.0'	5.0'	5.0'

Variance	Ordinance Section	Subject	Permitted	Requested Variance	End Results
2	Article 3.1.5	Front Yard Setback	35'	16'	19'

3	Article 3.1.5	Allowed Lot Coverage	20% or 1,770 sq. ft.	3.3% or 294 sq. ft.	23.3% or 2,064 sq. ft.
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Variance#	Ordinance Section	Subject	Required	Requested Variance	End Results
4	Article 3.1.5	Minimum Lot Size	16,000 sq.ft.	7,146 sq.ft.	8,854 sq.ft.

Recommended Motions:

Table: "I move to table the variance request for John Badaczewski, 4224 Jackson Blvd., parcel 12-07-326-007 to consider comments noted during this public hearing".

"I move to table the variance request for John Badaczewski, 4224 Jackson Blvd., parcel 12-07-326-007 in order to allow the applicant to commission a survey and detailed drawing of the garage addition".

Approve: "I move to approve the variance requested by John Badaczewski, 4224 Jackson Blvd., parcel 12-07-326-007 in order to construct a garage addition. The variances requested is to Section 3.1.5 R1-C Single Family Residential (SEE ABOVE TABLE). This approval will have the following conditions:

- Applicant will provide the Township Building Department with a detailed drawing and survey that illustrates all of the setbacks of the new garage to the property line, this will be provided to the Township prior to issuing a permit.
- The applicant will pull all of the necessary permits from the White Lake Township Building Department.

Denial: "I move to deny the variance request of John Badaczewski, 4224 Jackson Blvd., parcel 12-07-326-007 in order to construct a garage addition due to the following reason (s):

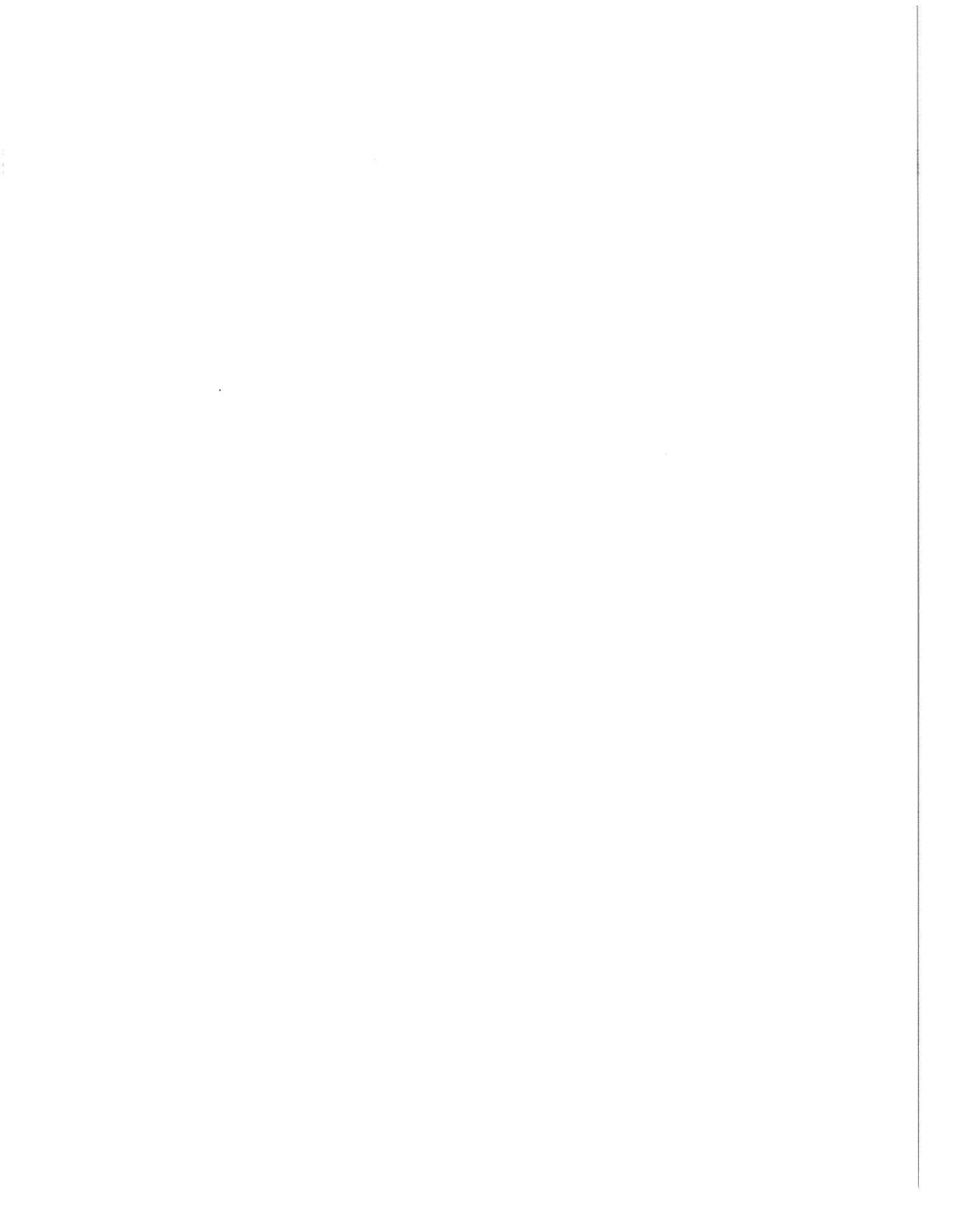
7.37 STANDARDS

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.

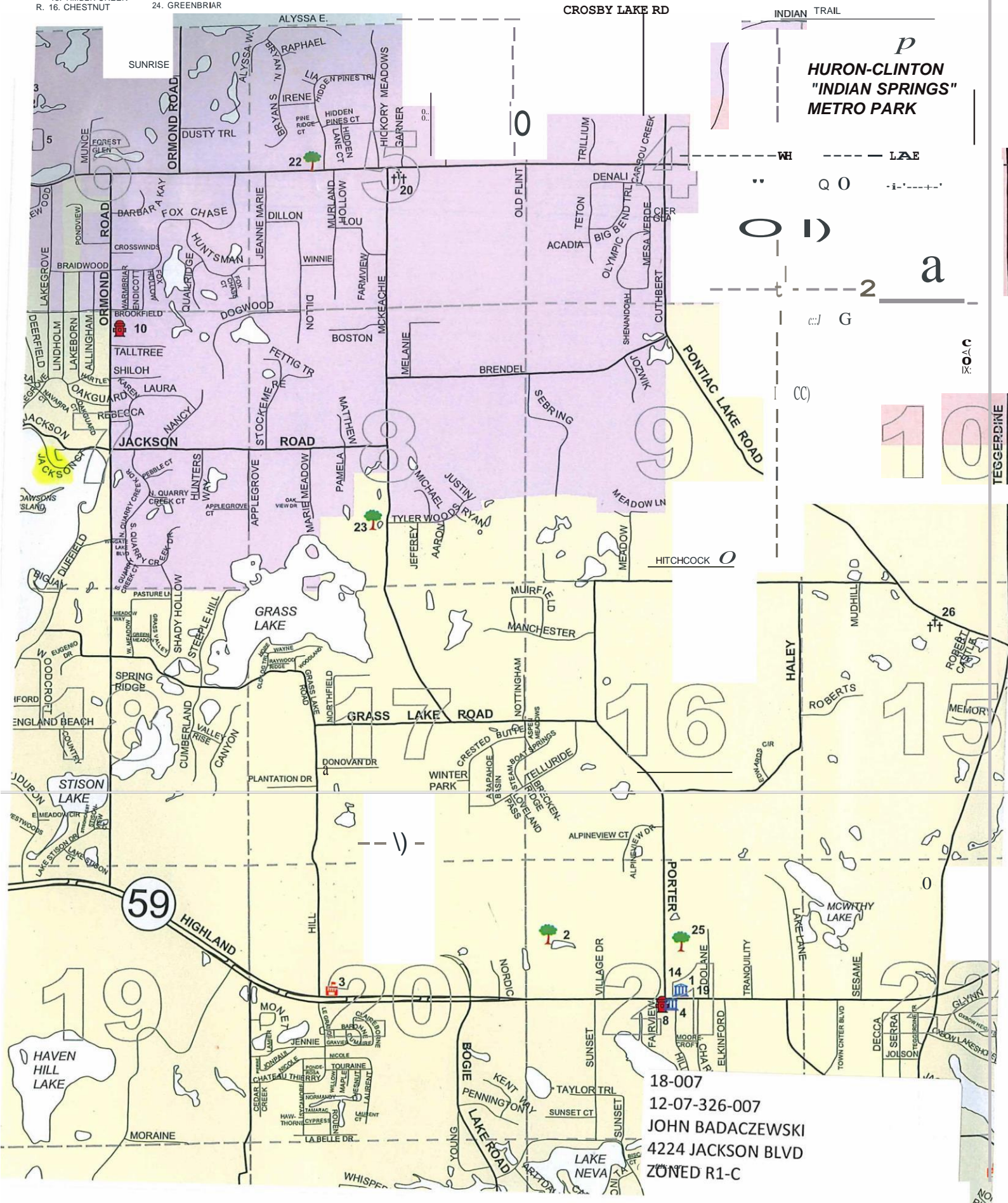
- A. Practical difficulty: A practical difficulty exists on the subject site (such as exceptional narrowness, shallowness, shape or area; presence of floodplain; exceptional topographic conditions) and strict compliance with the zoning ordinance standards would unreasonably prevent the owner from using 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 difficulty 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 applicant's 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.

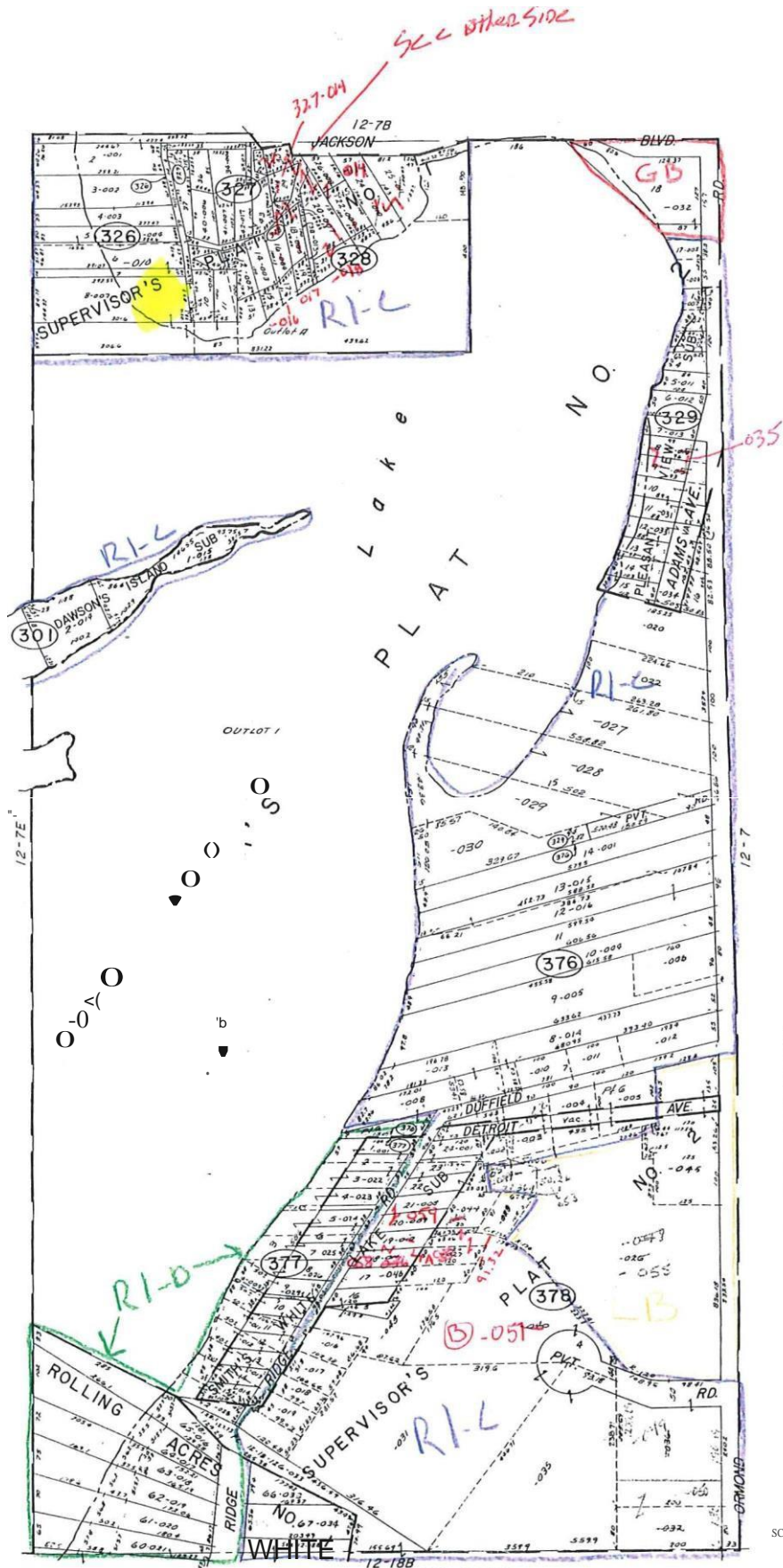


- 9. SILVER LEAF
- 10. RAVENWOOD
- 11. HICKORY TRAIL
- 12. CHERRYWOOD
- 13. HEATHER HOLLOW
- 14. HEATHERWOOD
- 15. TIMBER CREEK
- R. 16. CHESTNUT
- 17. HEATHWOOD
- 18. FALCONS NEST
- 19. NORTHWOOD CIR
- 20. CRESTWOOD
- 21. WILLOW SPRING
- 22. FOREST VIEW
- 23. SPRUCE RUN
- 24. GREENBRIAR



**HURON-CLINTON
"INDIAN SPRINGS"
METRO PARK**

18-007
12-07-326-007
JOHN BADACZEWSKI
4224 JACKSON BLVD
ZONED R1-C



327-04
SEC OTHER SIDE

REVISIONS	
DATE	BY
6-92	J.A.
10-92	J.A.
9-93	K.C.
8-94	J.E.
7-96	A.H.

REVISIONS	
DATE	BY
2-93	J.V.
11-74	J.W.
10-82	J.W.
6-92	J.W.
8-70	H.W.
12-82	J.W.
4-82	J.W.
10-89	J.W.
7-88	J.W.
8-80	J.W.
5-80	J.W.
6-91	J.A.
9-91	J.A.

SCALE: 1" = 100'

E:1/2 S.W.1/4 SEC. 14 E. 3N. 7W. BE.

12-7 F

CHARTER TOWNSHIP OF WHITE LAKE
Zoning Board of Appeals
APPLICATION

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

APPLICANT'S NAME: John & Judy G. PHONE: 248-698-3300

ADDRESS: 1500 S. CRYSTAL BLDG, White Lake, MI 48383

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

ADDRESS OF AFFECTED PROPERTY: 1500 S. CRYSTAL BLDG PARCEL # 12

CURRENT ZONING: Residential PARCEL SIZE: 0.25 ACRES

STATE REQUESTED VARIANCE AND ORDINANCE SECTION: _____

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

APPLICATION FEE: _____ (CALCULATED BY THE PLANNING DEPARTMENT)

APPLICANT'S SIGNATURE: John Bedezyan DATE: 2/26/18

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



Trustees
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Michael Powell
Andrea C. Voorheis
Liz Fessler Smith

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WHITE LAKE TOWNSHIP BUILDING DEPARTMENT

Building Permit Denial Letter

To: From: Sean O'Neil, Planning Director
Applicant: Brent Bonnavier, Building Official
Address: John Badaczewski
4224 Jackson Blvd.
Parcel ID: White Lake, MI 48383
Contact Number: 12-07-326-007
Zoning District: 248-891-0369
RIC

Comments: Applicant is proposing to add a garage addition onto a legal non-conforming structure of record which sits on a legal non-conforming lot of record. The following setbacks are required:

Lot size required: 16,000 sq ft
Actual lot size: 9,757 sq ft (per assessing)
Variance needed: 6,243 sq ft

Lot width required: 100 lf
Actual lot width: 821f
Variance needed: 18 lf

Lot coverage allowed: 20% or 1,951.4 sq ft
Proposed lot coverage: 20.9% or 2,044 sq ft
Variance needed: .9% or 92.6 sq ft

*These figures do not include the deck (1,423 sq ft)

Side yard setback required: 10 lf
Proposed side yard setback: 5 lf
Variance needed: 5 lf

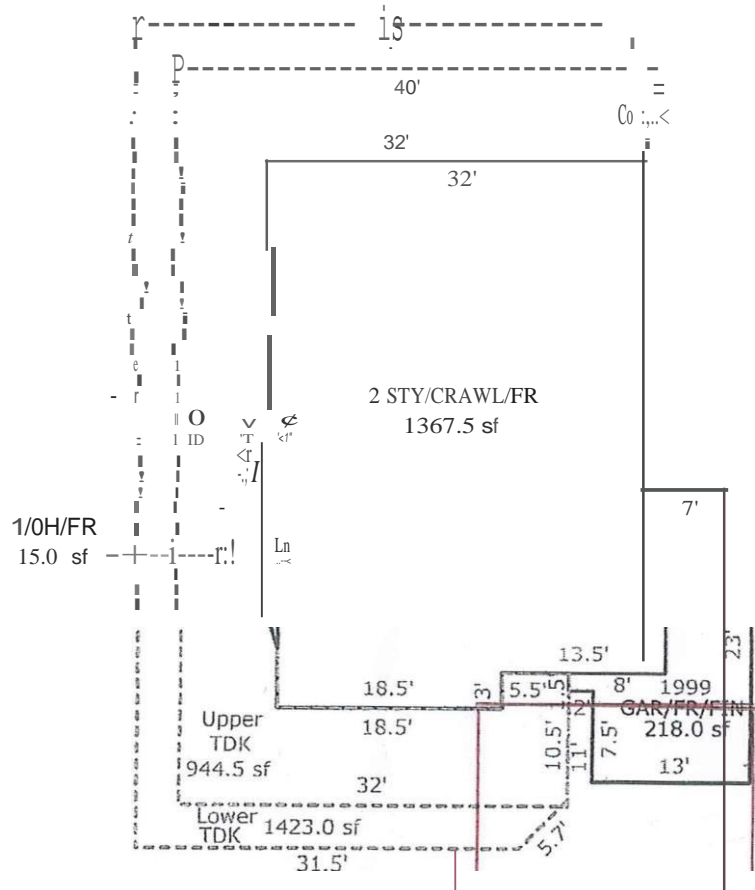
Front yard setback required: 35 lf
Proposed front yard setback: 19 lf
Variance needed: 16 lf

SKETCH/AREA TABLE ADDENDUM

SUBJECT INFO

File No.: Y-12-07-326-007 Parcel No.: Y-12-07-326-007
 Property Address: 4224 JACKSON BLVD
 City: WHITE LAKE County: OAKLAND State: MI ZipCode: 48383-1515
 Owner: ASCIONE, JOSEPH G
 Client: 00000 Sketcher 1D:
 Appraiser Name: Sketch Date:

SKETCH



Sketch by Apex Sketch

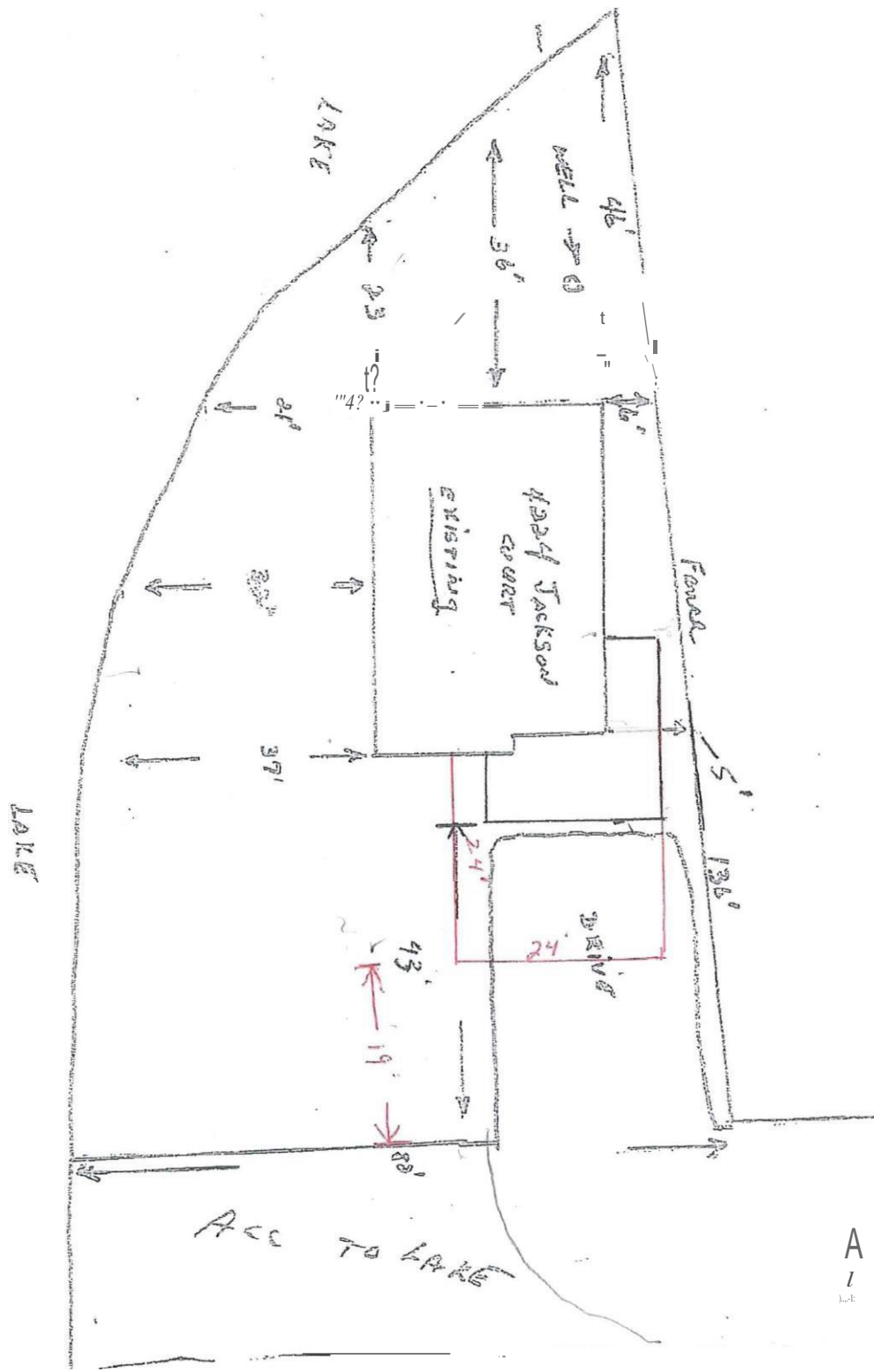
AREA CALCULATIONS SUMMARY

Code	Description	Factor	Net Size	Perimeter	Net To a/s
1/OH/F	1/OH/FR	1.0	15.0	30.4	15.0
2/C/FR	2 STY/CRAWL/FR	1.0	1367.5	152.0	1367.5
GAR/FR	GAR/FR/FIN	1.0	218.0	76.0	218.0
TRTDW	TDK	1.0	944.5	254.0	
	TDK	1.0	1423.0	272.7	2367.5

SKETCH HISTORY

COMMENTS:

NOTES:



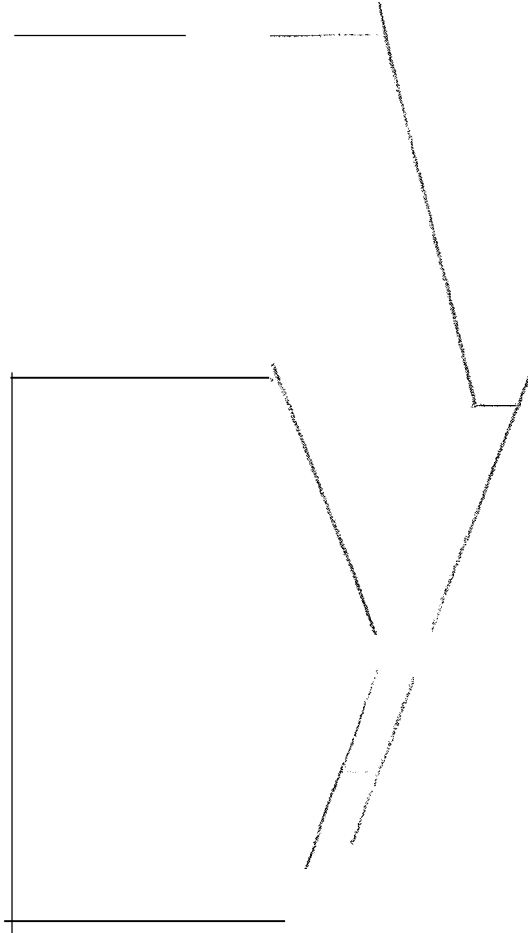
4324
 Plot Plan
 0' R.I.
 COURT

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01.3.16



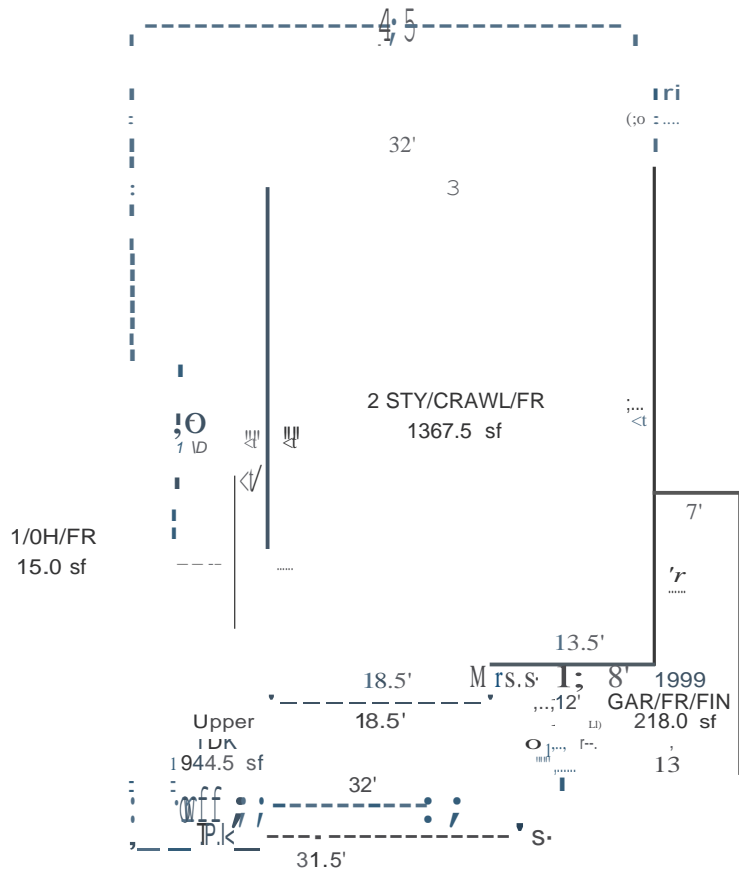
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SKETCH / AREA TABLE ADDENDUM

SUBJECT INFO

File No.: Y - 12-07-326-007 Parcel No.: Y - 12-07-326-007
 Property Address: 4224 JACKSON BLVD
 City: WHITE LAKE County: OAKLAND State: MI ZipCode: 48383-1515
 Owner: ASCIONE, JOSEPH G
 Client: 00000 Sketcher ID:
 Appraiser Name: Sketch Date:

SKETCH



Sketch by Apex Sketch

AREA CALCULATIONS SUMMARY

Code	Description	Factor	Net Size	Perimeter	Net Totals
1/0H/F	1/0H/FR	1.0	15.0	30.4	15.0
2/C/FR	2 STY/CRAWL/FR	1.0	1367.5	152.0	1367.5
GAR/FR	GAR/FR/FIN	1.0	218.0	76.0	218.0
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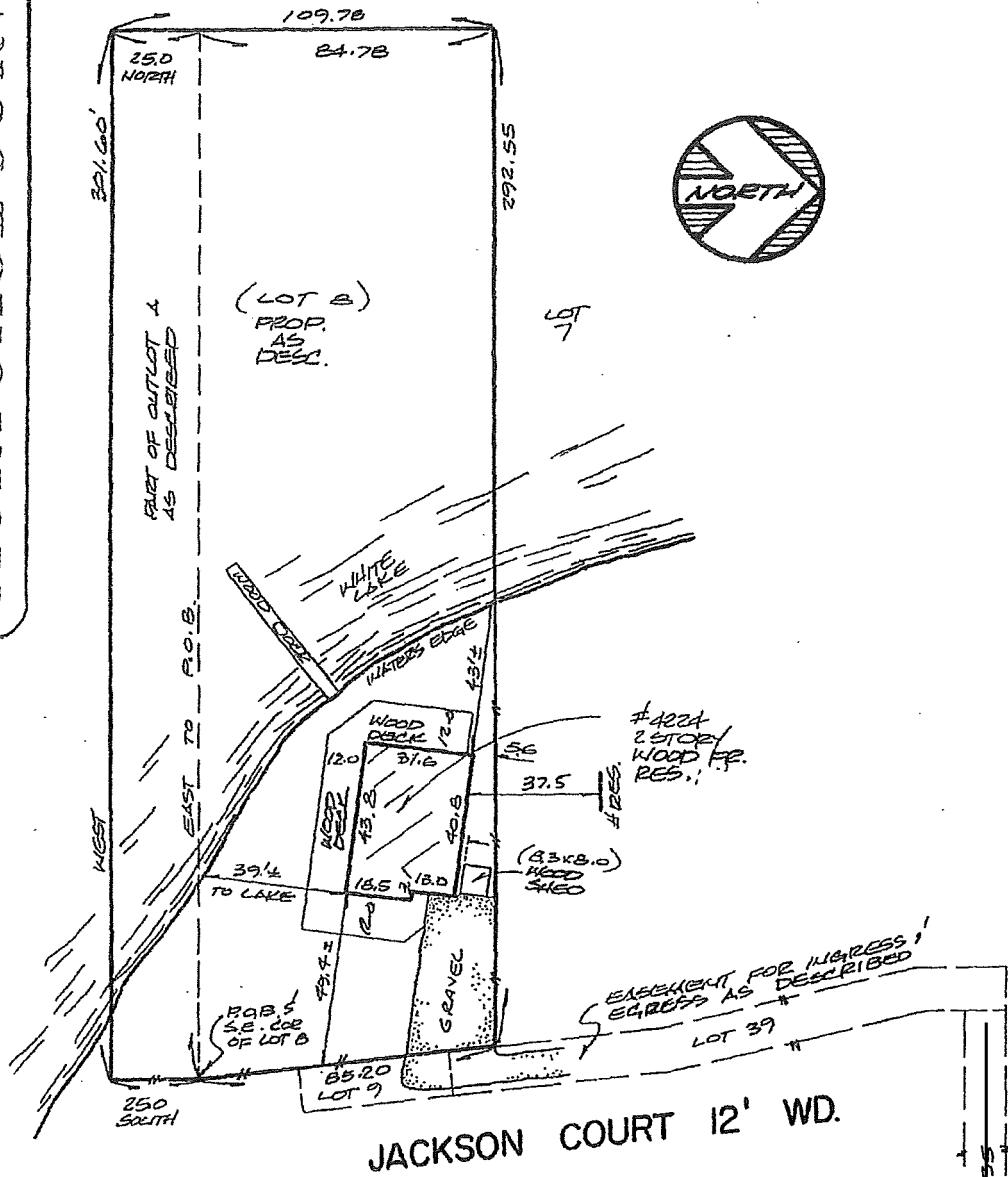
SKETCH HISTORY

COMMENTS:

NOTES:

MORTGAGE SURVEY

Certified to: METROBANK
 Applicant: JOSEPH G. AND IRIS ASCIONI AND HARRI KEIF
 Property Description: See page 2 of 2



CERTIFICATE: We hereby certify that we have surveyed the above described property in accordance with the description furnished for the purpose of a mortgage loan to be made by the aforementioned applicants, and that the buildings located thereon do not encroach on the adjoining property, nor do the buildings on the adjoining property encroach upon the property heretofore described, except as shown. This survey is not to be used for the purpose of establishing property lines, nor for construction purposes, no stakes having been set at any of the boundary corners.

JACKSON BLVD.

Don O. ... L.L.S.
 JOB NO. GI-321/4 SCALE 1" = 40'
 DATE 010-24-93 e.e.
 DR. BY

KEM-TEC
 LAND SURVEYORS

6041 East Nine Mile Road
 Eastpointe, MI 48021-2319
 (313) 772-2222
 FAX: (313) 772-4048



KEM-TEC WEST
 SURVEYING & ENGINEERING

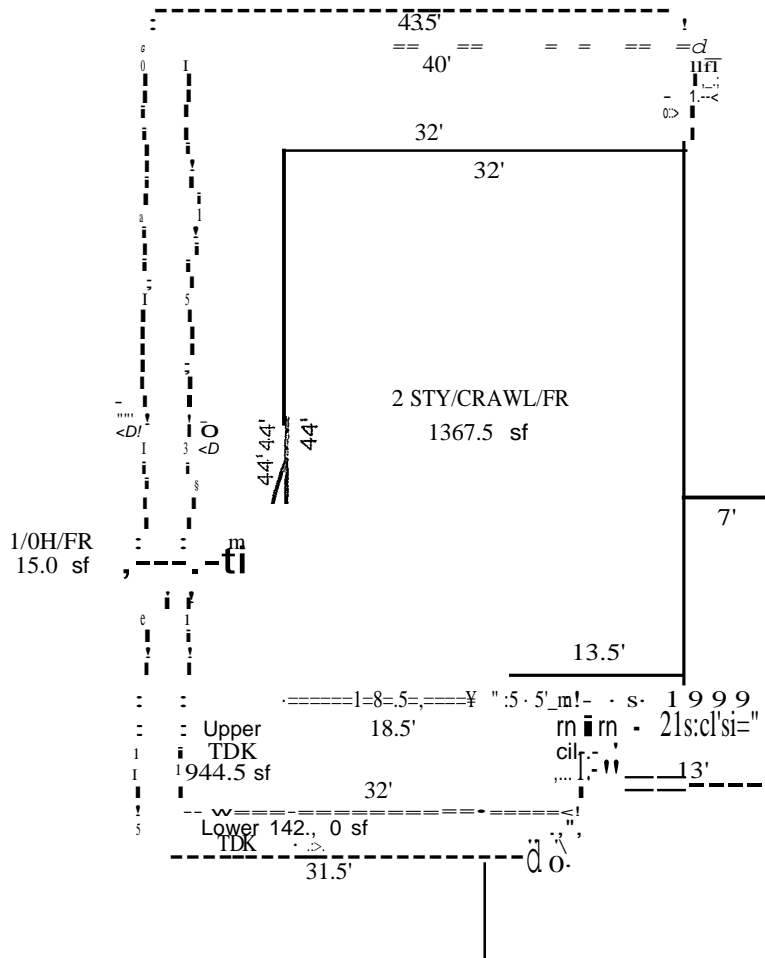
205 ft. Main Street
 Ann Arbor, MI 48104-1412
 (313) 994-0886 (800) 433-6133
 FAX: (313) 994-0667

SKETCH/AREA TABLE ADDENDUM

SUBJECT INFO

File No.: Y-12-07-326-007 Parcel No.: Y-12-07-326-007
 Property Address: 4224 JACKSON BLVD
 City: WHITE LAKE County: OAKLAND State: MI ZipCode: 48383-1515
 Owner: ASCIONE, JOSEPH G
 Client: 001110 Sketcher ID:
 Appraiser Name: Sketch Date:

SKETCH



Sketch by Apex Sketch

AREA CALCULATIONS SUMMARY

SKETCH HISTORY

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TRTDW	TDK	1.0	944.5	254.0		
	TDK	1.0	1423.0	272.7	2367.5	

COMMENTS:

NOTES: