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## WHITE LAKE TOWNSHIP

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### WHITE LAKE TOWNSHIP ZONING BOARD OF APPEALS

August 24, 2017  
White Lake Township  
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: A full board was present.

ROLL CALL: Gail Novak-Phelps  
Mike Powell – Board Liaison  
Nik Schllack  
Josephine Spencer – Vice Chairperson  
Dave Walz - Secretary

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

Visitors: 3

#### Approval of Agenda:

Ms. Novak-Phelps 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 July 27, 2017

Mr. Powell moved to approve the minutes of July 27, 2017 as corrected. Mr. Walz supported and the MOTION CARRIED with a voice vote: (5 yes votes)

#### New Business:

- a. **File 17-016**  
Applicant: Andrea Schemanske  
2197 Ridge Rd.  
White Lake, MI 48383  
Location: 2197 Ridge Road, White Lake, MI 48383, identified as 12-18-301-009  
Request: Variance to Article 3.1.6 R1-D Single Family Residential for side yard and rear yard setback, lot size, lot width, percent lot coverage, and to Article 3.11.Q for natural features setback.

Mr. Powell disclosed that his company designed the new septic system for this lot, and that everything has since been completed. The board members did not see this as a conflict of interest and felt Mr. Powell could continue with the discussion on this case.

Ms. Spencer noted for the record that 33 property owners within 300 ft. were notified of the request. No letters were received in favor, no letters were received in opposition, and one letter was returned undeliverable by the U.S. Postal Service.

Mr. Iacoangeli reviewed his report dated August 15, 2017. This is a single family residential home zoned R1-D. The property is part of the England Beach Subdivision located on White Lake. The home uses a private septic and a private well. The applicant is requesting variances from the Township in order to construct a new home addition. The new addition will include 234 sq. ft. ground floor addition that will bring the ground floor total to 903 sq. ft. A second floor addition will add an additional 463 sq. ft. of living space. The new addition will also include a 24x30, or 720 sq. ft. 2-car garage.

The home is currently 669 sq. ft. on the ground floor, which is deficient from the minimum standard of 700 sq. ft. for a 2-story home. The new addition would make the home compliant with the minimum ground floor area required for R1-D. As part of this addition construction, an old non-conforming garage will be removed. The old garage has a side yard setback of 2 ft. on the south side of the property. The existing garage is also set back 20 ft. from the north property line. It should be noted that the existing home is considerably non-conforming with a 6.8 ft. side yard setback on the north side of the home and a 1 ft. side yard setback on the south side of the home. The new home addition will require a 5 ft. variance for the south side yard setback for an end result of 5 ft. Further, the new addition will require a 4.8 ft. variance on the north side for an end result of 5.2 ft. The new home addition will require a variance for lot coverage in the amount of .1%, the new home will be 20.1% or 15 sq. ft. over the allowable 2,020 sq. ft. The lot that the home sits on is also deficient in width being 45 ft. of the required 80 ft. needed for the R1-D district. Also, the lot is deficient in size being only 10,102 sq. ft. of the minimum 12,000 sq. ft. for the district.

Mr. Powell noted that this is a small lot and he questioned whether or not the parcel across the road (that the applicant also owns) is included in the overall size of this lot since they can only be sold together. Mr. Iacoangeli stated they could not be combined since they are not the same sidwell.

Ms. Schemanski, 2197 Ridge Road, stated that they purchased an old cottage with the intent to either remodel it or tear it down. They began last fall working with Oakland County and the township and subsequently submitted plans to township, but were not able to meet all of the requirements for the district. They have a hardship in that their lot is non-conforming. She also noted that the staff report cites a measurement of 45 ft., but it's actually 39 ft. and the lot size is also non-conforming. With the proposed remodel, the home will conform in size. The home presents challenges with there not being a front entry or first floor bathroom. They ultimately decided that remodeling would be their best course of action. Due to circumstances beyond their control, they cannot push closer to the road since Oakland County Health Department has dictated where the septic field has to be located. She added that they have the permit from the Health Department to construct if approved. The existing garage will be removed and a new attached garage will be added, and shifted over on the property to allow for a larger side yard setback. Total number of bedrooms will be reduced from 3 to 2. Lastly, she feels their updates are consistent with the neighborhood, and she has received a positive response from the neighbors. She presented a signed petition from the neighbors to the board members.

Ms. Spencer noted for the record that a petition supporting the request was received and will be placed in the file. The petition was signed by 10 neighbors living on Ridge Road.

Ms. Spencer opened the public hearing at 7:15 p.m. No comments were received and the public hearing was closed at 7:16 p.m.

Mr. Walz stated that this is a difficult lot with the setbacks to the north and south sides. He would like to see a lesser variance on the south to 6.2 ft.

Mr. Powell referenced the bump out on the north side of the lot. If that were removed, they would not need as large a variance on that side. It appears the current door drops down into the house, which is not desirable for anyone. To maneuver to come inside was to create stairs in the bump out. The applicant did a creative job in taking an angled house and making the addition straight. He added that he did an analysis and this request is not unusual for the neighborhood.

Ms. Spencer stated she likes the new plan.

**Ms. Novak-Phelps moved to in File 17-016 to approve the variances requested from Article 3.1.6 by Andrea Schemanske for the property at 2197 Ridge Road, parcel 12-18-301-009 in order to construct a home and garage addition. The variances requested are as follows: (1) a 4.8 ft. North Side Yard variance for an end result of 5.2 ft.; (2) a 5 ft. South Side Yard setback for an end result of 5 ft.; (3) a .1% (15 sq. ft.) variance to Allowed Lot Coverage for an end result of 20.1% (or 2,035 sq. ft.); (4) a 41 ft. variance to Required Lot Width for an end result of 39 ft.; (5) a 1,894 sq. ft. variance to Minimum Lot Size for an end result of 10,102 sq. ft., upon the applicant pulling all necessary permits with the White Lake Township Building Department; and soil erosion and sedimentation control will be maintained at all times to the county standard; and also compliance with 3.11.Q for natural features setback. Mr. Powell supported.**

Discussion on the Motion:

Mr. Powell asked for clarification as Ms. Novak-Phelps' motion stated 5.2 ft. instead of 5 ft. 2 inches, at which the above motion has been clarified. He also questioned the applicant's finding of the discrepancy in the measurement of 45 ft. by staff and 39 ft. by her claim. Mr. Iacoangeli stated the measurement was taken half way from the front yard setback. He recalculated and found the measurement is 39 ft. and the variance request should be amended to 41 ft. for an end result of 39 ft. The above motion has been corrected to reflect this change, as moved and supported by Ms. Spencer and Mr. Powell respectively.

Mr. Powell asked the applicant where the AC unit would be located. Mr. Schemanske stated they would put it adjacent to the neighbor's AC on the same side of the house. It was also noted that any generator that would be installed would be located at the rear of the home.

**The MOTION CARRIED with a roll call vote: Powell – yes (this is an extreme hardship with the shape and size of the lot and they are doing minimal to support their lifestyle); Novak-Phelps – yes (it is more conforming to the neighborhood and surrounding properties and she feels it is not detrimental to the safety or welfare of the public, and conditions were not created by the property owner); Walz – yes (this is hard for him on the north side yard setback, but due to the uniqueness of the lot, he votes yes overall); Schllack – yes (due to the extreme hardship and it will add value to the neighborhood); Spencer – yes (for the reasons stated and the improvements are reducing some of the non-conformities). (5 yes votes)**

**Liaison Report:**

Mr. Powell reminded that the next meeting is Wednesday, September 20<sup>th</sup> and not the 28<sup>th</sup>. He also introduced Cliff Seiver, who will be serving as an alternated on the ZBA.

**Next Meeting Date:**

- a. Regular Meeting – September 20, 2017
- b. Election of officers at October meeting

**Adjournment:**

**Mr. Powell moved to adjourn the meeting at 7:32 p.m. Mr. Schllack supported and the MOTION CARRIED with a voice vote. (5 yes votes)**