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WHITE LAKE TOWNSHIP

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WHITE LAKE TOWNSHIP ZONING BOARD OF APPEALS

Special Meeting
September 15, 2016
7525 Highland Road
White Lake, MI 48383

Mr. Erlich 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: Joseph Erlich – Chairperson
Gail Novak-Phelps
Scott Ruggles – Board Liaison
Josephine Spencer – Vice Chairperson
Dave Walz - Secretary

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

Visitors: 2

Approval of Agenda:

Ms. Novak-Phelps moved to approve the agenda as presented. Ms. Spencer supported and the MOTION CARRIED with a voice vote. (5 yes votes)

Approval of Minutes:

There were no minutes to approve this evening.

New Business:

- a. File 16-003**
Applicant: Christina Reoch
7638 Ring Neck
Waterford, MI 48327
Location: 8322 Cascade, Commerce Twp., MI 48382, identified as 12-36-453-015
Request: Variance to Article 3.1.6 R1-D Single Family Residential for lot width, lot size, side yard setback, lot coverage, and front yard setback.

Mr. Erlich noted for the record that 46 property owners within 300 ft. were notified of the request. No letters were received in favor, no letters were received in opposition, and 5 letters were returned undeliverable by the U.S. Postal Service.

Mr. Iacoangeli reviewed his report dated September 7, 2016. The applicant is proposing to construct a 911 sq. ft. home with a 380 sq. ft. attached garage. The new home will need a front yard setback variance in the amount of 27.7 ft. in order to accommodate the garage on the northwest corner. The plan shows the home located 2.3 ft. from the eastern property line. The new home will be set back 8.25 ft. from the property line, this is consistent with the original home on the property. The new home addition will be set back from the eastern property line 7.75 ft. The new home will require a side yard setback on the east side of the property in the amount of 2.25 ft. The new home will bring the lot coverage to 26.2% or 308 sq. ft. over the allowable 20%. The lot is deficient in size for the district by 7,083 sq. ft. The lot is also deficient in lot width by 37.5 ft. The lot is only 42.5 ft. wide. Eighty ft. is the required minimum for the district. This property is legal non-conforming.

Mr. Ruggles asked whether there were existing variances with the old house. Mr. Iacoangeli confirmed that the existing home was legal non-conforming and old ordinances most likely applied. The applicant was originally going to add on to the home the last time this was reviewed, but now are building new. He doesn't feel this is much different from what was originally proposed, with the exception of adding a garage and building closer to the road to conform to the neighborhood.

Mr. Reoch, 7638 Ring Neck, Waterford, stated the original house had one bedroom upstairs and they wanted to add on to accommodate their family of four. When they started the process, the contractors found a lot of problems with the existing foundation, so they ended up tearing the existing home down and start fresh.

Mr. Iacoangeli noted that the last time the ZBA heard this there were add-ons to an existing home, and the variances granted were predicated on that. The variances requested this evening are new to accommodate the new construction.

Mr. Reoch added that they have placed the house in the center of the property to conform to the neighborhood better.

Mr. Walz questioned whether the required documentation has been submitted. Mr. Iacoangeli stated that the applicant is in good standing and there are no issues outstanding between the township and the applicant. The applicant is in a holding pattern trying to get the variances necessary to build the house.

Mr. Erlich opened the public hearing at 6:16 p.m. With no comments, the public hearing was closed at 6:16 p.m.

Ms. Novak-Phelps moved in File No. 16-018 to approve the variances requested by Christina Reoch for the property at 8322 Cascade, parcel 12-36-453-015 in order to construct a new residential home and garage. The variances are as follows: (1) a 27.7 ft. front yard setback from the permitted 30 ft. for an end result of 2.3 ft.; (2) A 1.75 ft. east side yard setback variance from the permitted 10 ft. for an end result of 8.25 ft.; (3) a 2.25 ft. west sideyard setback from the permitted 10 ft. for an end result of 7.75 ft.; (4) a 6.2%/308 sq. ft. variance to maximum lot coverage from the permitted 20%/983 sq. ft. for an end result of 26.2% 1291 sq. ft.; (5) a 7,083 sq. ft. variance to minimum lot size from the required 12,000 sq. ft. for an end result of 4,917 sq. ft.; (6) a 37.5 ft. variance to required lot width from the required 80 ft. for an end result of 42.5 ft. The approval will have the following conditions: That the applicant will comply with all requirements of the White Lake Township Building Department and acquire all of the necessary building and trade permits for the project; that gutters and downspouts be added; and that the applicant will provide a sealed stake survey of the property depicting the new construction to the Building Department along with the new home construction drawings demonstrating the setbacks as approved. This must be submitted prior to issuing a building permit. Further,

the home foundation needs to be verified prior to pouring concrete. Ms. Spencer supported and the MOTION CARRIED with a roll call vote: Spencer – yes (this is non-conforming and will be an improvement to the neighborhood and bring it more into conformity); Walz – yes (for the reasons stated and in addition to the hardship with the shape and width of the lot); Novak-Phelps – yes (this is an existing non-conforming lot and difficult to put a home on the lot, and the new home will better conform with the neighborhood); Ruggles – yes (there is a hardship with the lot size); Erlich – yes (for reasons stated, and this will be a great improvement in neighborhood). (5 yes votes)

Next Meeting Date:

- a. Regular Meeting – September 22, 2016

Adjournment:

Ms. Novak-Phelps moved to adjourn the meeting at 7:23 p.m. Ms. Spencer supported and the MOTION CARRIED with a voice vote. (5 yes votes)